

APPROACHES TOWARD DETERRING CHINESE AGGRESSION  
IN THE SOUTH CHINA SEA

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by

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

## ABSTRACT

APPROACHES TOWARD DETERRING CHINESE AGGRESSION IN THE SOUTH CHINA SEA, by Mr. Timothy J. Banes, 104 pages.

The waters and land forms of the SCS have played important and necessary functions in Southeast Asia for centuries. A key transit point for maritime shipping, global travel, and the transportation of goods and services, the various reefs and atolls in the SCS also prove to be particularly valuable for military power projection.

China's policies on the SCS have created a security dilemma in the region fostering an environment of uncertainty and a potential for military miscalculation and potential for escalation as disputes between China and other claimant states remain unresolved. Research of this issue reveals a Chinese program of systematic and deliberate encroachment into the SCS utilizing all elements of national power. This study looks at how China has employed these instruments of national power, utilizing the operational variables of the PMESII-PT framework as well as the actions and reactions of the various claimant nations in the region. Examining the methods China uses to impose its will on the area may reveal opportunities for claimant states and, by extension the U.S., to successfully engage and counter Chinese encroachment.

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## ACRONYMS

AFP	Armed Forces of the Philippines
ANZUS	Mutual Defense Treaty signed between Australia, New Zealand, and U.S.
AOI	Area of Interest
AOR	Area of Operations
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asia Nations
CCDR	Component Commander
CCMD	Combatant Command
DIME	A summarized term for the instruments of national power; Diplomatic, Information, Military, Economic
EDCA	Enhanced Defense Cooperation Agreement
EEZ	Exclusive Economic Zone
FON	Freedom of Navigation
FONOPS	Freedom of Navigation Operations
GCC	Geographic Combatant Command
HADR	Humanitarian Assistance Disaster Relief
HOA	Horn of Africa
JDA	Joint Development Area
JIIM	Joint, Interagency, Intergovernmental, and Multinational
MDT	Mutual Defense Treaty
NATO	North Atlantic Treaty Organization
PACOM	Pacific Command
PLA	People's Liberation Army

PLAN	People's Liberation Army Navy
PMESII-PT	A mnemonic describing operational variables; Political, Military, Economic, Social, Information, Infrastructure, Physical, Time
POTUS	President of the United States
ROK	Republic of Korea
SCS	South China Sea
SEA	Southeast Asia
SEATO	Southeast Asia Treaty Organization
SLOC	Sea Lines of Communication
TTP	Tactics, Techniques, and Procedures
UNCLOS	United Nations Convention on the Law of the Sea
VFA	Visiting Forces Agreement

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## CHAPTER 1

### INTRODUCTION

China's leaders are pursuing a patient, long-term approach that seeks to gradually achieve the nation's security objectives without triggering a conflict.

— Robert Haddick, *Fire on the Water*

#### Overview

Leaders of Southeast Asian nations have long reacted with concern as China has employed a wide variety of tactics to assert greater presence and control in the South China Sea (SCS). As nations who lay claim to territory in this region fight to protect their sovereign and economic-use rights, there is an understanding that China's motivation for expanding maritime control is not only to assert territorial claims, but to secure access to trade routes and resources. In order to manage this incremental encroachment into the SCS, China has employed virtually all elements of its diplomatic, informational, military, and economic national power (DIME). By engaging these elements in varying degrees, China continues to successfully assert its control over the landforms and waters of the SCS, slowly overpowering the relatively weak resistance of Southeast Asian nations and the international community. As this, and previous, research has shown, China is not using just one single strategy to gain and maintain control of the SCS, but rather is skillfully and adeptly using all of the elements of DIME to achieve its goal of territorial dominance.

### Purpose and Research Goals

The purpose of this study is to highlight the methods of national power China uses to enforce its will upon the various nations who claim sovereignty over the landforms and waterways in the SCS as well as exploring China's restriction upon use of internationally recognized transit points within the region.



Figure 1. Claimant States in the South China Sea

Source: South China Sea, "China Claims a Big Backyard," 2014, accessed January 9, 2017, [www.southchinasea.org/files/2014/09/China-claims-a-big-backyard.png](http://www.southchinasea.org/files/2014/09/China-claims-a-big-backyard.png).

There are several issues that arise from the continued encroachment of China within the SCS. These include: the abrogation of the use of international conventions to peacefully resolve disputes, a potential loss of faith in the U.S. and partner nations in the global community to honor national commitments, potential challenges to the freedom of commercial shipping and trade, potential challenges to the freedom of military naval movements and to regional security, the inevitable expansion of the Chinese drive to establish control over international waterways and limiting the availability of those access points, the eventual forceful seizure of the Spratly Island outposts from other legitimate claimants, and increased vulnerabilities for the protection of allied and partner nations in the region.

The problem then, becomes one of combatting the Chinese encroachment into the SCS in such a way as to not destabilized the region, incorporate international organizations to ensure legitimacy, encourage the nations of Southeast Asia to lead and mutually support each other in protecting their sovereign territory, and ensuring continued freedom of navigation throughout the internationally-established waterways and sea lines of communication (SLOC) in the SCS; all without instigating armed conflict in the region.

#### Primary Research Question

The primary research question asks what options, courses of action, or opportunities exist that may deter Chinese aggression into the SCS? Understanding these variables are fundamental to developing a comprehensive course of action for this operational environment. This involves dissecting the problem set by looking at the situation from a political, military, economic, social, information, infrastructure, physical

environment, and time operational variables (PMESII-PT) and how those operational variables affect the Chinese implementation of DIME. To that end, this paper will examine three Courses of Action (COAs) the U.S. may implement in order to ease tensions in the SCS with the overall goal of reducing Chinese aggression in the region.

### Secondary Research Question

Secondary questions ask what methods could be used to enhance and improve upon bilateral, multilateral, and international relationships as they relate to the U.S. and Southeast Asian nations. There already exists several Mutual Defense Treaties (MDTs) between the U.S. and the Pacific Area of Operations (AOR). Do these need to be revamped, renewed, or disposed?

### Assumptions

The primary assumption is that China will continue to encroach upon the disputed or claimed territory of other Southeast Asian countries as long as it remains diplomatically, informationally, militarily, and economically expedient to do so. These nations of Southeast Asia (SEA) do not possess the necessary elements of national power such as diplomatic, information, military, or economic (DIME) means to effectively combat Chinese actions on an individual basis. It is also assumed that, if some viable agreement is not reached to peacefully resolve the rising tensions in the SCS, there may result kinetic action between China and one or more SEA countries which would spell disastrous consequences for regional and ultimately U.S. security.

This study presumes that China has a methodical, incremental plan to seize control of the various landforms and waterways in the SCS in order to exploit the region



for economic, military, and national purposes while denying others free access to the legitimate and internationally-recognized right of usage of the SLOC.

### Limitations

Access to the necessary information should be more than adequate using open-source material, but if research were conducted on this subject using access to classified material, then a comprehensive outline and eventual recommendations for future actions would result in a more fine-tuned assessment.

### Delimitations

The scope of this study is quite ambitious. Thus, certain delimiters will be used in order to parse the material down to just the relevant sections of information. For example, the entire U.S. pivot to Asia criteria will not be discussed but only the relevant sections needed to describe how this U.S. policy influences the research question. In this same vein, other U.S. policies, international rulings, and individual countries' attitudes and motivations will not be explored in their entirety, but only those portions that best exemplify or reveal avenues of approach towards answering this study.

### Significance of Study

The results of this study could assist in identifying engagement opportunities for U.S. and allied partners towards deterring Chinese aggression in the SCS. Additionally, by fostering a multilateral working environment in support of a common objective, this study may help in improving U.S. relationships with SEA nations as well as relations of those nations with one another. Perhaps this study could provide the springboard for a

more comprehensive follow-on strategic estimate study by U.S. Combatant Commanders and policy makers.

### Summary

It is important to understand the current knowledge on the SCS disputes in order to understand where U.S. engagement opportunities lie. Chapter 2 will present the latest open source literature on this subject. As nations who lay claim to territory in this region fight to protect their sovereign and economic-use rights, there is an understanding that China's motivation for expanding maritime control is not only to assert territorial claims, but to secure access to, and with the potential to control, trade routes and resources. In order to manage this incremental encroachment into the SCS, China has employed the elements of national power such as diplomatic, informational, military, and economic efforts in varying degrees in time and space. By engaging these elements China continues to successfully assert its control over the SCS; slowly overpowering the relatively weak resistance offered by SEA nations and the international community.

## CHAPTER 2

### LITERATURE REVIEW

China wants to guarantee access to a wealth of natural resources in the region and is hoping to intimidate its neighbors so they are too scared of China to unite and oppose its ambitions.

— Michael Pillsbury, *The Hundred Year Marathon*

#### Overview

The purpose of this chapter is to conduct key open source literature review of the causes behind Chinese, U.S. and other regional claimant states' disputes. To do this, the chapter will be broken down into six sections. The first section presents research on the history of the region. The second section discusses the importance of geography towards maintaining control of the SCS. The third section looks at the motivations for claimant states to control territory primarily focusing on economic incentives, freedom of navigation, and national pride. The fourth section explores the various legal claims about ownership in the area of contention and the use of historical precedent, United Nations decisions, and international rulings. The fifth section will review some of the strategies employed by claimant states in order to protect or project their national power. Finally, it is important to explore U.S. options for engaging regional authorities in order to deconflict tensions in the SCS.

#### History of the Region

The SCS disputes involve both island and maritime claims among several sovereign states within the region, namely: the People's Republic of China, the Socialist Republic of Vietnam, the Republic of the Philippines, the Republic of Indonesia,

Malaysia, and the nation of Brunei Darussalam. It is a dispute over territory and sovereignty over ocean areas and landforms, the most prominent of these land masses being the Paracel Islands and the Spratly Islands. These two island chains are claimed in whole or in part by a combination of these countries listed.

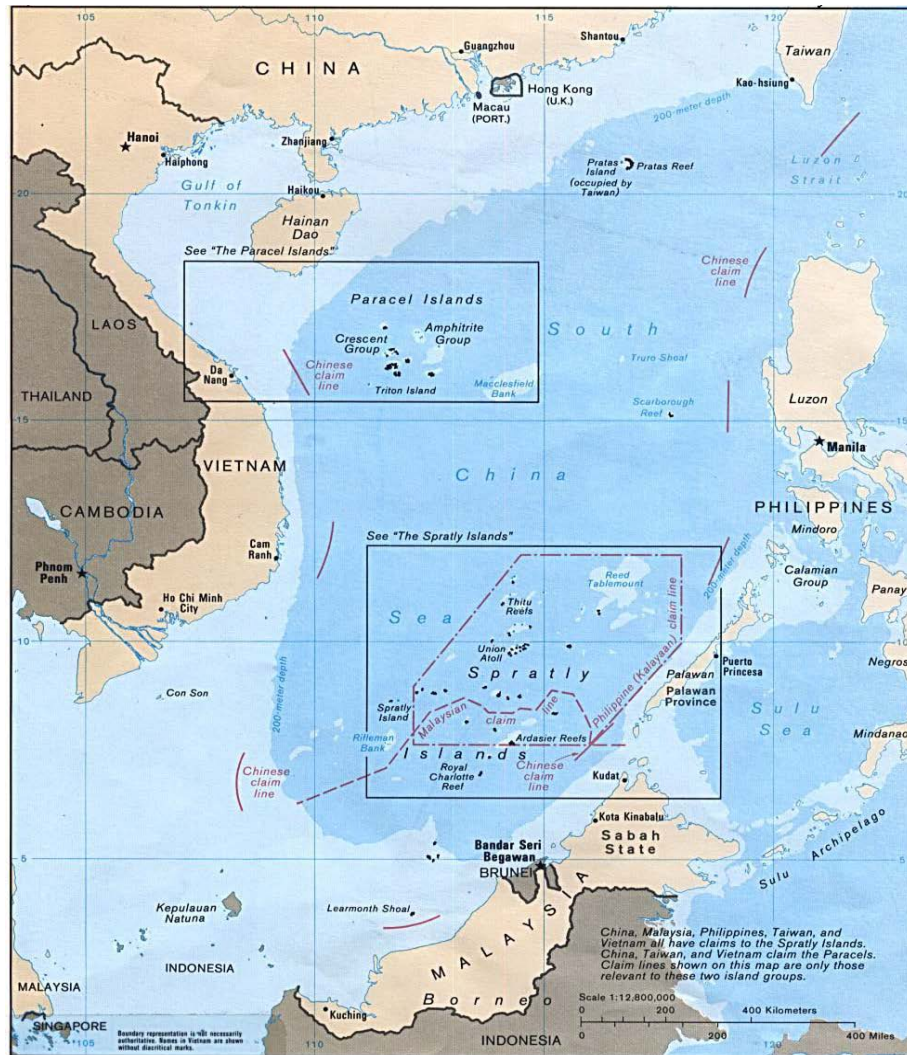


Figure 2. Spratly and Paracel Island Chains

Source: South China Sea, "South China Sea Islands," 2011, accessed January 9, 2017, [www.southchinasea.org/files/2011/08/schina\\_sea\\_88.jpg](http://www.southchinasea.org/files/2011/08/schina_sea_88.jpg).

The history of enmity between claimant states is long and distinguished with the PRC being seen as the primary instigator of conflict for both military and economic reasons. To be fair, from China's standpoint, they feel that they have every right to be in those areas where they claim historical ownership. From their national standpoint, China is merely defending what is already theirs. Chinese People's Liberation Army Navy (PLAN) vessels are very cautious about firing the first shot but will go to extraordinary lengths to provoke other countries into conflict. That is not to say the China hasn't taken the initiative in military kinetic action, merely that it prefers to let others be viewed as the aggressor so as to claim self-defense of their national interests.

Table 1. Military Clashes in the South China Sea

Date	Countries	Military Action
1974	China, Vietnam	Chinese seized the Paracel Islands from Vietnam, 18 troops killed in clashes.
1988	China, Vietnam	Chinese and Vietnamese navies clashed at Johnson Reef in the Spratly Islands. Several Vietnamese boats were sunk and over 70 sailors killed.
1992	China, Vietnam	Vietnam accused China of landing troops on Da Luc Reef. China seized almost 20 Vietnamese cargo ships transporting goods from Hong Kong from June – September.
1994	China, Vietnam	China and Vietnam had naval confrontations within Vietnam's internationally recognized territorial waters over Vietnam's Tu Chinh oil exploration blocks. Chinese claim the area as part of their Wan' Bei-21 block.
1995	China, Philippines	China occupied Philippine-claimed Mischief Reef. Philippine military evicted the Chinese in March and destroyed Chinese markers.
1995	Taiwan, Vietnam	Taiwanese artillery fired on a Vietnamese supply ship.

1996	China, Philippines	In January, Chinese vessels engaged in a 90-minute gun battle with a Philippine navy gunboat near Capones Island.
1997	China, Philippines	The Philippine navy ordered a Chinese speedboat and two fishing boats to leave Scarborough Shoal in April; the Philippine navy later removed Chinese markers and raised its flag. China sent three warships to survey Philippine-occupied Panata and Kota Islands
1998	Philippines, Vietnam	January, Vietnamese soldiers fired on Philippine fishing boat at Pigeon Reef.
1999	China, Philippines	In May, Chinese fishing boat sunk in collision with Philippine warship. In July, another Chinese fishing boat sunk in collision with Philippine warship.
1999	China, Philippines	In May, Chinese warships were accused of harassing a Philippine navy vessel after it ran aground near the Spratly Islands.
1999	Philippines, Vietnam	In October, Vietnamese troops fired upon a Philippine air force plane on reconnaissance in the Spratly Islands.
1999	Malaysia, Philippines	In October, Philippine defense sources reported that 2 Malaysian fighter planes and 2 Philippine air force surveillance planes nearly engaged over a Malaysian-occupied reef in the Spratly Islands.

*Source:* South China Sea, “Military Clashes in the South China Sea over the Past Two Decades,” accessed January 9, 2017, [www.southchinasea.org/South-china-sea-tables-and-maps-us-eia/](http://www.southchinasea.org/South-china-sea-tables-and-maps-us-eia/).

### Geographic Importance

The SCS holds particular significance geographically as it is considered to be a valuable choke point for access to the region. “The South China Sea functions as the throat of the Western Pacific and Indian oceans-the mass of connective economic tissue where global sea routes coalesce” (Kaplan 2015, 274). To be fair, the term ‘islands’ is used loosely as the Spratly and Paracel features barely classify as such and are described as a “collection of uninhabited rocks, many of which are usually under water” (Jacques 2012, 375-376).

The islands of the SCS are strategically positioned near the countries of SEA. Chinese motivations for gaining control of these islands lie in this strategic positioning against its neighbors in South and Southeast Asia. The proximity of Chinese national interests so close to U.S. allies such as South Korea, Taiwan, the Philippines, and Japan threatens the security of the region. It is feared that the Chinese claims in the SCS, and subsequent development of some of these islands, “will enable the Chinese Navy and Coast Guard vessels to establish a round-the-clock presence in the South China Sea without the need to return to ports on the mainland” (Pillsbury 2016, 237-238).

The strategic value of these maritime geographic positions cannot be underestimated. The strategic value of these, and other such semi-submersed protrusions, boils down to the same three priorities when considering any piece of property: location, location, location. When considering maritime strategy as real estate, location ranks at the top of the priorities list. “To be worth occupying, prospective bases must lie along ‘strategic lines’. Otherwise, innate strength and resources matter little” (Holmes 2014, 34). To this end, attempting to occupy harbors near heavily trafficked SLOCs are ideal as they place the fleet closer to the sphere of action. China’s claim on the SCS islands, and subsequent development of the same, allows fleet detachments to combine their resources for defensive or offensive action in the event of a conflict. This has already begun as “China has built concrete helipads and military structures on seven reefs and shoals” (Kaplan 2015, 12).

On Mischief Reef, China has built a three-story structure and five smaller buildings for military use. On Johnson reef, China has erected a building armed with high-powered machine guns. Fiery Cross Reef, once consisting of a single coral head that

barely broke the surface of the water, has grown into over two square kilometers of reclaimed land; increasing its landmass 11 times over. The reef has infrastructure allowing for a garrison of approximately 200 troops and is equipped with radar and surveillance capabilities. “Leaving little doubt about its purpose, it has already been equipped with a 3,300 metre airstrip, which is long enough to accommodate a wide range of Chinese combat and transport planes” (The Guardian 2015). Fiery Cross Reef also now boasts a harbor large enough to handle some of the largest ships in China’s fleet. One final note on this particular piece of real estate. Fiery Cross Reef may have been chosen by China as its keystone for its push into the SCS mostly because of the depths of its surrounding waters. This allows Chinese submarines the ability for greater stealth in evading acoustic and other forms of tracking by adversarial militaries.

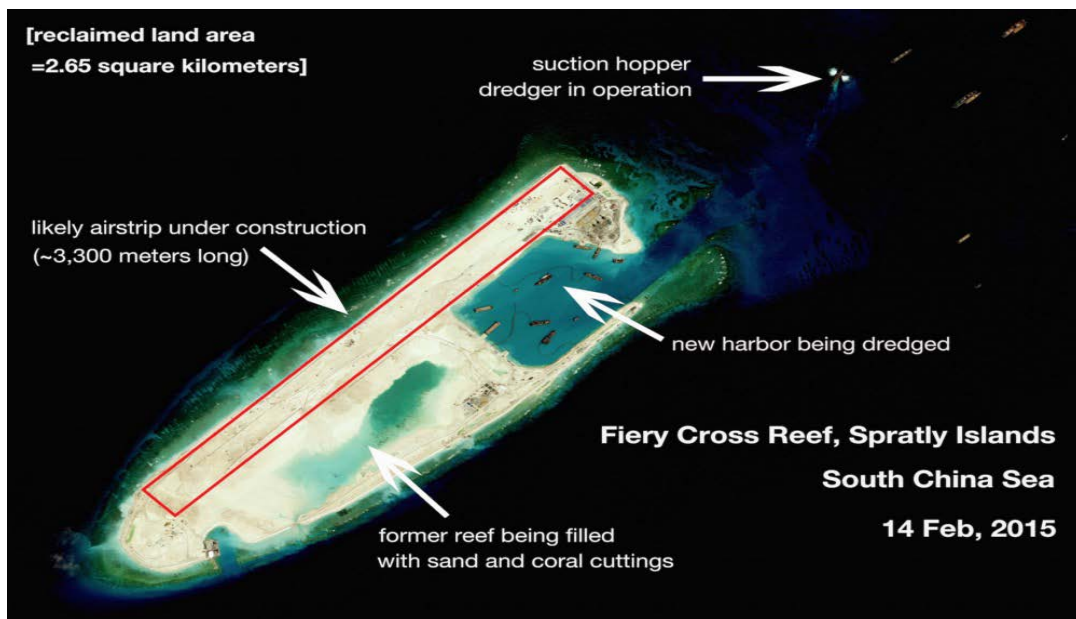


Figure 3. Fiery Cross Reef Construction.

Source: Global Nation Inquirer, “Fiery Cross Reef, Spratly Islands,” 2015, accessed April 15, 2017, <https://Fiery-Cross-reef-China-reclamation-South-China-Sea.jpeg>.



Other Southeast Asian nations have followed this example of building infrastructure on claimed islands in the SCS. “Vietnam captured Southwest Cay from the Philippines in 1975, and it has since built a harbor and other facilities there. Malaysia engaged in significant construction and reclamation at Swallow Reef after occupying it in 1983. The Philippines is planning to upgrade an airport and pier on Thitu Island” (Rapp-Hooper 2015). The island of Taiping, the largest of the Spratlys and held by Taiwan, has been equipped with an airstrip capable of handling military aircraft. It is also well situated along SLOCs connecting the Straits of Malacca with Northeast Asia. The next largest island, Woody Island, anchors China’s presence in the Paracels. While it holds less intrinsic military value, it does solidify China’s stake in the region as Beijing has established an administrative city, Sansha, and positioning a garrison there. This administrative city is meant to signify “Beijing’s new assertive approach to reinforcing its claims by establishing a prefecture-level formal government that can exercise full administrative and jurisdictional functions over the disputed areas” (Zhang 2015). The establishment of Sansha city is seen by China as an important step in their efforts to solidify its sovereignty claims through administrative and jurisdictional measures.

China’s ability to occupy these strategic locations and create infrastructure is followed closely by the ability to successfully defend those positions. Natural defenses are important, and can often be augmented in order to make the sites more defensible. “A squadron stationed at a base capable of protecting itself can prowl the seas independently, executing its missions confident that its landward refuge will be there when it returns” (Holmes 2014).

These bases also need to have access to sustainment resources. Dependence on external supplies exposes the port and the fleet to vulnerabilities stemming from long sea lines of communication with its home base. However, China has very little concern as to other countries in the region attempting to circumvent these supply routes or interdicting its resources as there really is no other indigenous navy in the region that can challenge a Chinese-flagged vessel.

### Motivations

“To understand the future of conflict in East Asia, one must understand the goals and motivations of its leaders and its people” (Kaplan 2015). Exploring the motivations behind the various claimant states’ desires to possess the multiple land formation in the SCS is an important endeavor as it assists one’s ability to identify and understand the rationale and length some countries will go towards protecting those claims. Robert Kaplan, in his book *Asia’s Cauldron: The South China Sea and the End of a Stable Pacific*, points towards the SCS as “the throat of the Western Pacific and Indian oceans- the mass of connective economic tissue where global sea routes coalesce” (Kaplan 2015, 9). This exemplifies perhaps the most important factor governing claims of ownership by neighboring countries in the SCS; economics. Kaplan, perhaps the most prolific writer on the geopolitical situation in South and Southeast Asia, provides valuable insights into these motivations. Kaplan postulates that the center of world power has been quietly shifting from Europe to Asia over the last decade. This is largely due to “proven oil reserves of seven billion barrels, and an estimated 900 trillion cubic feet of natural gas” (Kaplan 2015, 10). With this kind of potential fuel sources within reach, the desire to control and exploit those energy reserves by any country cannot be overlooked.

China in particular is desperate for new energy as its current oil reserves “account for only 1.1 percent of the world total while it consumes over 10 percent of the world oil production and over 20 percent of all the energy on the planet” (Kaplan 2015, 10). If the energy reserve estimates prove accurate, then the SCS could solve China’s ‘Malacca Dilemma’, its reliance on the narrow and vulnerable Strait of Malacca that China relies upon for delivery of much of its energy needs coming from the Middle East.

The delivery of these goods and services bring to light yet another item of concern to countries that touch the SCS. This involves the ability for sovereign countries to safely navigate and transit the waters of the SCS in order to transport goods, conduct coastal defense, and project power. “Here is the heart of Eurasia’s navigable rimland, punctuated by the Malacca, Sunda, Lombok, and Makassar straits. More than half of the world’s annual merchant fleet tonnage passes through these chokepoints, and a third of all maritime traffic worldwide” (Kaplan 2015, 9). The oil transported through the region is estimated to be triple the amount that passes through the Suez Canal and fifteen times the amount that transit through the Panama Canal.

Although largely uninhabited, the Paracel and Spratly Islands are believed to possess large reserves of natural resources associated with them. Estimates vary, but the SCS reportedly has proven oil reserves of “several billion barrels, and an estimated 900 trillion cubic feet of natural gas” (Kaplan 2015, 10). China first began seriously exploring the area for resources as early as 1987, declaring “the existence of rich oil and gas reserves on James Shoal off the coast of Borneo” (Hayton 2014, 122). Then again in December of 1989, China released official calculation that the “Spratly Islands contained 25 billion cubic meters of natural gas and 105 billion barrels of oil and the James Shoal

area a further 91 billion barrels” (Hayton 2014, 122). This is of paramount importance to China. In fact, the U.S. Energy Information Administration estimates that “deposits under the South China Sea may hold enough crude oil to supply China’s needs for more than sixty years and enough natural gas for more than thirty years of Chinese consumption” (Haddick 2014, 18). By extending its exclusive economic zones and its territorial waters, China would acquire access to thousands of square miles of ocean with rich energy, trade routes, and renewable resources. “China wants to guarantee access to a wealth of natural resources in the region and is hoping to intimidate its neighbors so they are too scared of China to unite and oppose its ambitions” (Pillsbury 2016, 219).

In addition to the oil and natural gas potential of the region, the waterways of the SCS have functioned as a necessary transit and shipping point for decades involving not just the countries immediately adjacent, but affecting commerce on a global scale. It is reported that “\$5.3 trillion in trade passes through the South China Sea each year, \$1.2 trillion of which passes through U.S. ports” (Haddick 2014, 23). This global trading system relies on the security the U.S. provides in the SCS. This freedom of navigation and trade through the SCS would be threatened if China were to seize control of the navigable waterways and restrict transit. Trade through these global commons in the western Pacific has been, and continues to be, an essential feature of the region’s economic success. This success would not be possible without free navigation through the sea and open-air lines of communication.



Figure 4. South China Sea Trade

*Source:* Asia Maritime Transparency Initiative, “Trade Flows in Asia,” 2014, accessed March 12, 2017, [https://amti.csis.org/wp-content/uploads/2014/11/asia\\_trade\\_flows.jpg](https://amti.csis.org/wp-content/uploads/2014/11/asia_trade_flows.jpg).

Additionally, the area is a prolific source for the fishing industry of the neighboring countries. Ever growing disputes over fishing rights between China and other Southeast Asian claimants have become another major source of frustration over the current tensions in the SCS. “Currently, the South China Sea accounts for one-tenth of the world’s global fisheries catch, and plays host to a multi-billion dollar fishing industry. Fish protein accounts for more than 22% of the average Asian diet and growing incomes across Asia will inevitably raise demand” (Pitlo 2013). Initially, fishing across much of the SCS was of no concern on a geopolitical scale. For decades fishermen were oblivious to maritime boundaries and international maritime laws as littoral states would often turn a blind eye to any fishing activity that extended beyond their territorial waters.

This changed in recent years as a result of dwindling fisheries around coastal areas and long range commercial fishing have pushed the fishing frontier farther into the disputed waters of the SCS. “As a result, fishing has now become a politically-sensitive and emotionally-charged national security issue for claimant countries” (Pitlo 2013).

These distinctions between private economic interests and geopolitical objectives continue to grow increasingly blurred as private economic activities become politically tainted. “China’s conflicts with other claimant states over fishing in the disputed area have occurred more frequently, causing periodical diplomatic tension and sometimes heightened mutual public hostility” (Zhang 2015). The following table reveal instances of conflict in the SCS over economic interests.

Table 2. Economic Conflicts in the South China Sea

Date	Countries	Disputes
1992	China, Vietnam	In May, China signed a contract with U.S. firm to explore Spratly Islands in an area that Vietnam says is located on its continental shelf. In September, Vietnam accused China of drilling for oil in Vietnamese waters in the Gulf of Tonkin.
1993	China, Vietnam	In May, Vietnam accused Chinese survey ship of interfering with exploration work in Vietnamese waters. Chinese ship left area after appearance of 2 Vietnamese naval ships.
1993	China, Vietnam	In December, Vietnam demanded that Crestone cancel offshore oil development in nearby waters.
1994	China, Vietnam	Crestone joined with a Chinese partner to explore China’s Wan’ Bei-21 block. Vietnam protested that the exploration was in Vietnamese waters. China offered to split production with Vietnam, as long as China retained sovereignty.
1994	China, Vietnam	In August, Vietnamese gunboats forced Chinese exploration ship to leave oilfield in Vietnamese-claimed region

1996	China, Vietnam	In April, Vietnam leased exploration blocks to U.S. firm, ruled out cooperation with U.S. oil firms that signed Chinese exploration contracts in disputed waters. China protested, and reaffirmed a national law claiming the South China Sea.
1997	China, Vietnam	In March, Vietnamese issued protest after Chinese oil rig drills near Spratly Islands. Drilling occurred offshore Da Nang, located 64 nautical miles off Chan May cape Vietnam, and 71 nautical miles off China's Hainan Island. Diplomatic protests followed by Chinese rig departure.
1997	China, Vietnam	In December, Vietnamese protested after Exploration Ship and two supply ships entered Wan' Bei. All 3 vessels were escorted away by the Vietnamese navy.
1998	China, Vietnam	In September, Vietnamese protested after a Chinese report stated that Crestone and China were continuing their survey of the Spratly Islands. Dispute over this area resolved by agreement between both countries.
2003	Malaysia, Brunei	In May 2003, a patrol boat from Brunei acted to prevent TotalFinaElf from undertaking exploration activities in an area offshore from Northern Borneo disputed by both.

*Source:* South China Sea, “Disputes over Drilling and Exploration in the South China Sea,” 2013, accessed January 9, 2017, [www.southchinasea.org/south-china-sea-tables-and-maps-us-eia](http://www.southchinasea.org/south-china-sea-tables-and-maps-us-eia).

In regard to the importance of this economic freedom of navigation for other countries, South Korea and Japan receive over 60 percent of their energy supplies that come through the SCS. It is no surprise that China tops the mark at receiving around 80 percent of its crude oil imports via the Malacca Strait and SCS. In addition to the energy resources being transported annually, several billion tons of finished and unfinished goods are delivered to Southeast Asian countries every year.

At its heart, it maybe the long-standing territorial disputes, and their effect on a nation's pride, that has driven the conflicts over the SCS. The territorial disputes surrounding and SCS is home to more than two hundred small islands, reefs, shoals, and

rocks, of which perhaps only about three dozen appear above water on a permanent basis, and has been contested for decades. “Brunei claims a southern reef of the Spratly Islands. Malaysia claims three islands in the Spratlys. The Philippines claims eight islands in the Spratlys and significant portions of the SCS. Vietnam, Taiwan, and China each claim much of the SCS as well as all of the Spratly and Paracel island groups” (Kaplan 2015, 10).

*Asia’s Cauldron* explores the major nations involved in the SCS by traveling through and conveying a detailed level of understanding of the region’s major cities, populace, and governments. Kaplan states “the composite picture is of a cluster of states that, with the problems of domestic legitimacy and state building mostly behind them, are ready to advance their perceived territorial rights beyond their own shores” (Kaplan 2015, 9). This collective push outward by the region’s major players will converge squarely in the SCS. This includes the nearly 600 million people in Southeast Asia, 1.3 billion people in China, and the over 1.5 billion people located within the Indian Subcontinent.

There are perhaps as many motivations for staking claim to territories in the SCS as there are claimants or officials within those countries that are concerned with this issue. In his Australian National University publication from the National Security College entitled *China’s Growing Assertiveness in the South China Sea: A Strategic Shift?*, author Jian Zhang explores the Chinese motivations from their internal perspective. Zhang, a senior lecturer in international and political studies in the School of Humanities and Social Sciences out of the University of New South Wales Canberra at



the Australian Defence Force Academy, delves into the number of explanations that have been made for China's recent assertive stance.

Zhang first discusses, then dismisses, the claim of China's fragmented policy-making structure and diffuse maritime administrative system as the rationale for growing Chinese assertiveness. The contention that recent Chinese actions have largely been the product of a lack of policy coordination between Chinese governmental agencies whom compete to advance their own interests. Zhang argues that, while this argument may sound plausible, it doesn't explain why this aggression in SCS had not occurred years earlier given that "fragmentation has been an integral and longstanding problem in the Chinese polity" (Zhang 2015).

Probably more believable are other explanations for Chinese growing assertiveness such as China's intention to compete with the U.S. for regional supremacy or a newfound sense of Chinese nationalism that promotes the idea of others infringing upon China's rightful claims of sovereignty in the SCS.

At its heart, Zhang's paper seeks to provide additional insights into the causes and nature of China's actions in the SCS. This article makes three arguments. First, Zhang argues that these aggressive Chinese actions represent a major and long-term strategic shift in China's policy towards the region. This effort relies heavily upon an increasingly purposeful and proactive approach to solidify the claims of ownership by the Chinese. Secondly, Zhang explores the idea that China is not motivated by an ambition to dominate the region or absolute control of the SCS, but instead China is driven by an ever-increasing sense of concern to protect its national interests against the encroachment of others in the region. This anxiety is said to stem from past moderate policies which are

seen as failing in safeguarding sovereign and maritime interests. Lastly, the author contends that China does in fact wish to recognize and adhere to international legal mechanisms. “Ironically, the growing importance Beijing has placed on international law and its subsequent intentions to build a stronger legal basis through various administrative and jurisdictional measures to consolidate its claims has led to a more proactive and assertive approach, raising tensions in the South China Sea” (Zhang 2015).

Zhang concludes by proposing this long-term, proactive and purposeful approach by China to bolster its claims does not signify an increasing inclination to resort to force to settle the sovereignty issues in the SCS. He states, “Rather it reflects a growing intention to employ legal, diplomatic and administrative measures to augment the basis of its claims to gain leverage in future diplomatic and legal negotiations” (Zhang 2015).

The desire, and indeed need, to execute unfettered Freedom of Navigation (FON) operations throughout the SCS depends on several factors to include consideration of the geography and layout of the SCS itself. In his thesis *Strategic Features of the South China: A Tough Neighborhood for Hegemons*, James R. Holmes explores the strategic geographic importance of the SCS using the methods developed by well-renown sea power theorist Alfred Thayer Mahan. Holmes uses Mahan’s framework to evaluate the enclosed seas and adjacent littorals of the region while also assessing the value of significant maritime strategic features.

Holmes adapted Mahan’s strategies for classifying strategic features by their positions, relative strength for defensibility, and availability of natural resources. Holmes expands upon this analytic template by including a review of the importance of the state of relations with adjacent countries to prospective bases. Additionally, Holmes felt it

important, in light of technological advances since Mahan's time, to further develop the attention paid to the underwater terrain including topography and hydrography. As applied to the SCS, Holmes' commentary investigates Mahan's methodology and "applies it to maritime Southeast Asia, examining the sea and its islands, the South China Sea rim, ingress and egress points, the capacity of local sea powers, the underwater dimension" (Holmes 2014).

As maps of the SCS can attest, this area represents important waterways and thoroughfares from East to West and vice-versa. Dominating these seas is a keystone to power projection into the Eurasian continent and areas beyond. This contested body of water is the primary interface joining two oceans and are used routinely by seafaring nations to gain access to the Indo-Pacific region for strategic, economic, military, and security reasons. "Strategic mobility would be slower and clumsier absent free transit through Southeast Asian waters" (Holmes 2014). For the U.S., FON operations of the SCS represents a mainstay of U.S. foreign policy and a matter of operational expediency just as China seemingly covets a hegemonic position there conducting operations as though it intends to create a closed sea to transnavigation.

Holmes' analysis of the SCS using a modified Mahan methodology reveals that the region will prove extremely problematic for any one nation to dominate let alone control outright. "The South China Sea, then, represents a maritime crossroads that commands enormous worth for seafaring states while presenting few opportunities for permanent forward basing. Because of its dearth of island outposts, it will prove difficult for any would-be hegemon to command – even a coastal state like China that is replete with maritime potential" (Holmes 2014). Holmes points out that restriction of FON

operations in the SCS is negligible as the vastness of the seas allow for relatively convenient alternatives to traveling through maritime Southeast Asia. Also, the need to position bases within the SCS may become a moot point with the ability to establish naval stations outside of the region's perimeter. It is at this point where forging alliances with regional partners' gains importance.



Figure 5. Disputed Territories in the South China Sea

*Source:* South China Sea, "Disputed Claims in the South China Sea," 2013, accessed January 9, 2017, [www.southchinasea.org/files/2013/01/Disputed-claims-in-the-south-china-sea-Agence-Frances-Presse.jpg](http://www.southchinasea.org/files/2013/01/Disputed-claims-in-the-south-china-sea-Agence-Frances-Presse.jpg).

### Legal Claims

Gaining access to, and claiming the rights for, exploiting the massive energy reserves, controlling navigation, and defending a nation's pride have their roots in making legally binding claims to the area that are defensible and recognized by the international community. Martin Jacques describes China's method for defending their claims to the SCS in his book *When China Rules the World: The End of the Western World and the Birth of a New Global Order*. China, in essence, has chosen to ignore any current international ruling on ownership on the islands of the SCS, indeed on the entire sea itself, claiming historical precedence trumps any other decision by external sources. The idea for these historic claims cite maps that show a claim line that covers all of the SCS, although there aren't any specific latitude or longitude markings to indicate where this claim may end. Chinese legal scholars argue the legitimacy of these maps as superseding current laws and regulations which hold that legitimacy claims should be "considered in the light of the laws contemporary with it rather than the laws in force at the time when a dispute arises" (Jacques 2012, 377). China's insistence on using this 'intertemporal law', which concerns rights or wrongs in the historical past, is thought to give force and legitimacy to history over the laws of the present. That is to say, laws that prevailed during historic times take precedence over those of the present internationally recognized legal system.

Jacques also presents some very interesting points on how China uses its overwhelming advantage in the elements of national power to impose its will upon the region. Jacques, drawing extensively on Chinese history, predicts that China will revive the old tributary system in a more modern form with contemporary ideas of racial

hierarchy redrawn in the SCS. The tributary system, or the Imperial Chinese tributary system, used by ancient China was the network of trade and foreign relations between China and its tributaries, or states which had sworn allegiance or fealty to China. China's influence helped to shape much of East Asian affairs. Contrary to other tribute systems around the world, the Chinese tributary system consisted almost entirely of mutually-beneficial economic relationships, and member states of the system were politically autonomous and, in almost all cases, independent as well. Through the tribute system, which facilitated frequent economic and cultural exchange, the various dynasties of Imperial China "deeply influenced the culture of the peripheral countries and also drew them into a China-centered, or sino-centric, international order" (Vohra 1999, 22). The Imperial tributary system shaped foreign policy and trade for over 2000 years of Imperial China's economic and cultural dominance of the region, and thus played a huge role in the history of Asia, and the history of East Asia in particular.

Should China be granted or somehow otherwise be able to legitimize these historical claims, they then have the necessary legal infrastructure to defend and exploit those claimed territories based on internal regulations and declared policy statements. In their latest publication of *The Diversified Employment of China's Armed Forces*, better known as the Defense white paper, China's Information Office of the State Council mentions several times the goal to "build a strong national defense and powerful armed forces which are commensurate with China's international standing and meet the needs of its security and development interests" (People's Republic of China 2013, 1). On its surface, this and other statements in the white paper seem not only benign but absolutely defensible as one looks at the needs and rights of any sovereign nation.

However, there are specific passages that seem to pertain solely to the SCS although the region is not explicitly mentioned. Descriptions of defending their national maritime rights and interests are stated while laying the blame for conflict at the feet of other states. “Some country has strengthened its Asia-Pacific military alliances, expanded its military presence in the region, and frequently makes the situation there tenser” (People’s Republic of China 2013, 2). This can only be seen as alluding to the U.S. while another passage specifically mentions Japan as the instigator in the two countries’ dispute over islands in the East China Sea.

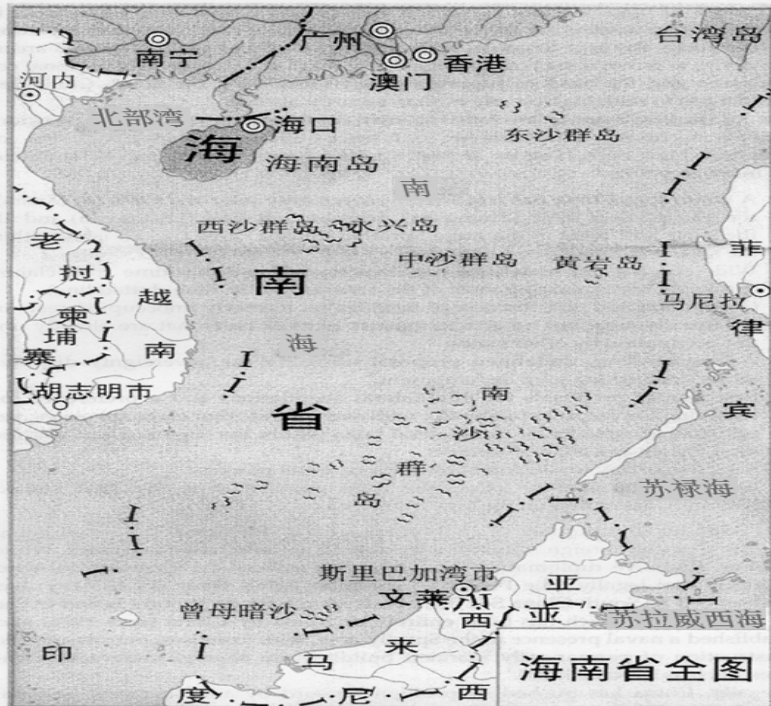
The white paper lays out China’s need for acquiring the immense resources available in what it claims to be its territorial waters. “It is an essential national development strategy to exploit, utilize and protect the seas and oceans, and build China into a maritime power” (People’s Republic of China 2013, 14). In this, China relies upon its naval fleet, the People’s Liberation Army Navy (PLAN) to provide security support not only to their maritime law enforcement, but to settle any disputes with fisheries and oil and gas exploration.

There are two additional claims made in the defense white paper that, when taken from China’s point of view, seem to be absolutely logical and understandable. Just as the many clashes that have occurred in the SCS can be interpreted as China merely defending its territorial rights as construed from their claimed historical ownership, so too can China claim to be abiding by and in accordance with international law in regards to the territory. If one is to accept as fact that China is the rightful possessor of the areas claimed in the SCS, then they are perfectly justified in stating that they “consistently operate within the legal framework formed by bilateral or multi-lateral treaties and agreements, so as to

ensure the legitimacy of their operations involving foreign countries or militaries” (People’s Republic of China 2013, 4). Meaning that, since the various islands, reefs, and atolls belong to China, then they are more than justified in defending those territories against other countries’ claims.

The second, and probably the boldest, claim made in the defense white paper is that China specifically states that it is not seeking hegemony nor does it endorse any form of aggressive military action that sanctions this behavior. “China opposes any form of hegemonism or power politics, and does not interfere in the internal affairs of other countries. China will never seek hegemony or behave in a hegemonic manner, nor will it engage in military expansion” (People’s Republic of China 2013, 1). Again, from China’s viewpoint, building up military bases on the islands in the SCS, engaging in aggressive behavior over disputed territory, and harassing fishing fleets is merely defending its national interests. How can they be accused of military expansion when they are merely occupying their own space?





Map 2: Official Chinese map of the South China Sea with the nine-dotted line

Figure 6. China's Map of Historical Claims

Source: South China Sea, "China's Nine-Dash Line Map of the South China Sea Claims," 2011, accessed January 9, 2017, [www.southchinasea.org/files/2011/08/map\\_small.gif](http://www.southchinasea.org/files/2011/08/map_small.gif).

To be fair, the Defense white paper does outline many of the other positive actions China has undertaken, and purportedly plan to continue, throughout the region. They have increased their participation in Humanitarian Aid and Disaster Relief (HADR), been involved in various United Nations (UN) Peacekeeping operations, joined international joint exercises and training with other foreign armed forces, and combatted piracy around the Horn of Africa (HOA). These are all beneficial and important actions for ensuring secure SLOCs throughout the region. However, these seemingly altruistic

actions may also be one way for China to build goodwill and friendliness with its neighbors as a way to offset some of China's more questionable activities.

These historical claims collide with the newer form of legal recognition of rights and ownership in the SCS as defined by the United Nations Convention on the Law of the Sea (UNCLOS). UNCLOS governs the maritime claims that can be measured from a country's territorial claims. UNCLOS has been debated in the United Nations since late 1973. Out of those debates emerged a compromise around the concept of the Exclusive Economic Zone (EEZ). Bill Hayton delves into this history quite extensively in *The South China Sea: The Struggle for Power in Asia*. An EEZ is not technically considered territory, but "coastal states would have the rights to exploit and regulate the resources flying over it, swimming within it, lying on the seabed and buried beneath it" (Hayton 2014, 112). The debates resulted in the decision to make a country's territorial limit as 12 nautical miles from the visible coast, an EEZ of 200 nautical miles, and extra allowances for an extended continental shelf.

To be fair, all of the disputants assert a certain amount of historic claim to the reefs, rocks, and islands they either occupy or are within territorial limits. However, these "claims are based upon the traditional norms of international law which include occupation, prescription, cession and accretion" (Hayton 2014, 119). Obviously, if an arbitration court decides to hear historic arguments first and make a judgement on which landforms belong to which country, then the outcome would most certainly favor China. On the other hand, if the UNCLOS-based rulings on maritime zones are enforced, then this would tend to favor the Southeast Asian claimants over China.

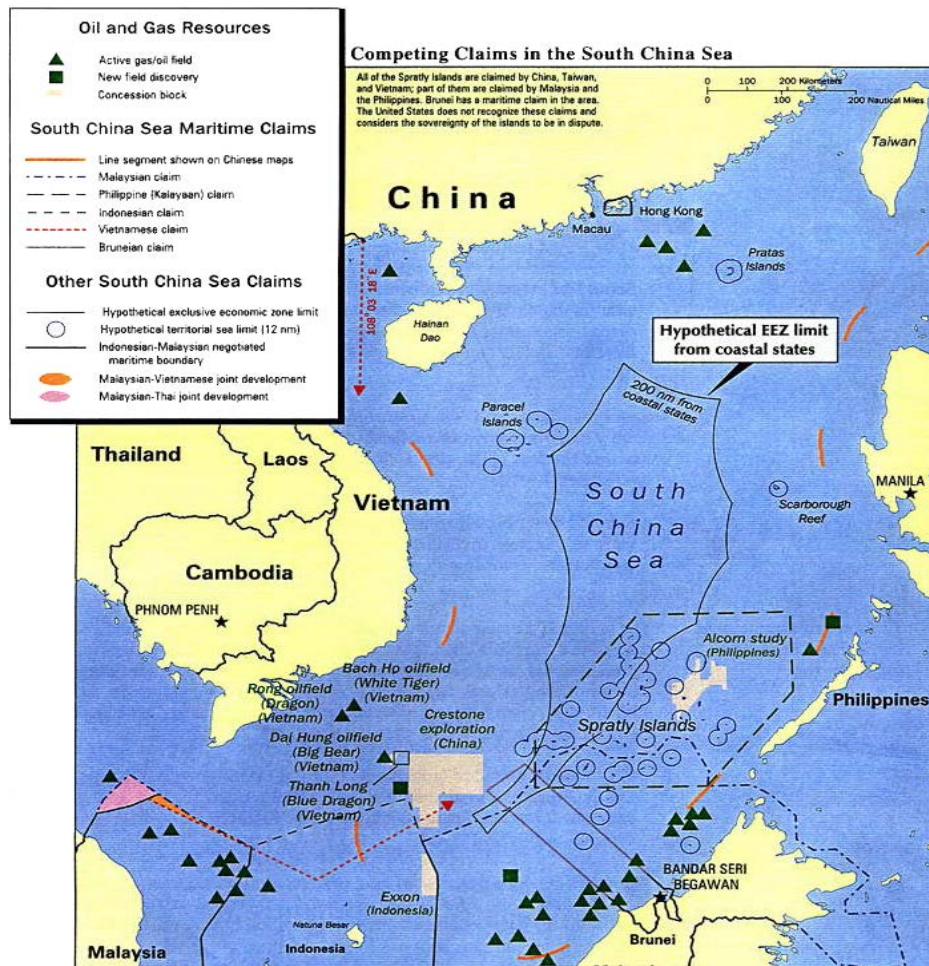


Figure 7. EEZ Claims in the South China Sea

Source: South China Sea, “EEZ Claims and Hydrocarbon Resources,” 2011, accessed January 9, 2017, [www.southchinasea.org/files/2011/08/EEZ-Claims-Oil-and-Gas-Resources.jpg](http://www.southchinasea.org/files/2011/08/EEZ-Claims-Oil-and-Gas-Resources.jpg).

This ruling has been put to the test by the Republic of the Philippines who has asserted its claim to the islands to the west of its northern island chain. In July 2016, an arbitral tribunal constituted under Annex VII of the UNCLOS ruled against China’s maritime claims in *Philippines v. China* (United Nations 2015). China does not

acknowledge the tribunal nor abide by its ruling, insisting that any resolution should be through bilateral negotiations with other claimants.

### Strategies

China's approach to its territorial claims in the SCS, combined with a carefully designed military modernization program is particularly challenging to the U.S. and other states seeking to maintain sovereignty in the region. It appears that China's leaders are pursuing a patient, long-term approach that seeks to gradually achieve the nation's security objectives without triggering a large-scale conflict. This method, known as 'salami slicing' is defined by Robert Haddick in *Fire on the Water: China, America, and the Future of the Pacific* as "the slow accumulation of small changes, none of which in isolation amounts to casus belli, but which can add up over time to a significant strategic change" (Haddick 2014, 77). Casus Belli, a Latin Term meaning "an event or action that justifies or allegedly justifies a war or conflict" (Merriam-Webster 2017). However, if one were to take an aggregate of all of the Chinese actions to date, and compress them into a truncated timeline, then these engagements would certainly add up to a justification for an armed conflict with Casus Belli.

These salami-slicing tactics of China places the rest of the SCS claimant states in an uncomfortable and unenviable position. As the encroachment activities conducted by China are calibrated to be too insignificant to amount to casus belli on an international scale, yet pose a significant threat to the national security of SCS countries. "China's adversaries will be forced to draw red lines and engage in brinksmanship over actions the rest of the world will perceive as politically trivial" (Haddick 2014, 81). This has the potential of placing the claimant states, or even the United States, in the position of

having to make the first military move against a prepared Chinese adversary; difficult decisions to make from both a political and military standpoint. Haddick postulates that “if China’s neighbors or the United States wishes to stop the salami slicing, they will have to be the ones taking risks with the global commons and continued open commerce, not China” (Haddick 2014, 81).

The method of salami-slicing and its possible repercussions may fall into a larger, more long-term plan by the Chinese in a bid to return to its former global position of three hundred years ago. This is the focus of Michael Pillsbury’s book *The Hundred-Year Marathon: China’s Secret Strategy to Replace America as the Global Superpower*. In this book, Pillsbury defines the Hundred-Year Marathon as China’s effort to “avenge a century of humiliation and aspired to replace the United States as the economic, military, and political leader of the world by the year 2049 (the one hundredth anniversary of the Communist Revolution)” (Pillsbury 2016, 12). Pillsbury points out that China may harbor some deep-seeded insecurities about the U.S. and Western-led efforts to encourage Asian nations to combat Chinese encroachment. However, he is quick to note that there is little evidence that China seeks to intentionally incite a war with the U.S. and that any direct, large-scale “military confrontation in the near term could be one of the greatest threats to the Marathon strategy, unraveling years of patient, assiduous efforts to build China into an economic and geopolitical hegemon” (Pillsbury 2016, 135-136).

### U.S. Options

Probably the best avenue for a peaceful resolution to the tensions in the SCS is for the U.S. to work by, with, and through international and regional arbitration entities in the hopes of coming to some kind of settlement with which all can agree. In addition to

seeking continued arbitration through UNCLOS, attendance and participation at Association of Southeast Asia Nations (ASEAN) debates is crucial. In *The Pivot: The Future of American Statecraft in Asia*, Kurt Campbell informs us that “ASEAN has been empowered by the region’s states to lay the defining role in Asia’s institutional development and evolution. Absent American engagement, the countries of ASEAN will be left to deal with the region’s major powers on their own” (Campbell 2016, 272). In *The Pivot*, Campbell explores how the United States should construct a strategy that will position it to maneuver across the East and offers some insight as to how American statecraft can best be used in order to counter Chinese hegemony in the SCS.

This means improving diplomatic ties with our Southeast Asian partners as well as fostering greater multilateral relations between the claimant states. In fact, this is at the center of America’s diplomatic pivot to Asia. Primarily, the U.S. pivot rejects the notion of a ‘China First’ policy, a policy that seems to resign itself to the idea that any action, diplomatic or otherwise, that concerns Asia or the SCS, must first and foremost take into consideration and be negotiated by, with, and through China. Campbell argues that “if anything, the Pivot rejects the ‘China First’ approach to Asian diplomacy that places bilateral ties between Washington and Beijing at the center of the regional agenda; instead it embeds China policy within a much wider and more inclusive regional framework” (Campbell 2016, 23). The framework referred to in this passage is one that can be built on the principle of the U.S. boosting its overall diplomatic, economic, and military ties with the other Asian states. This can impact any number of regional issues in order to facilitate the growth of economies, solve global challenges such as FON, and peacekeeping in the SCS. Regardless of the method, a crucial goal for ASEAN states,

with U.S. participation, is to use the ASEAN institution to engage and socialize a rising and increasingly dominant China into the region's norms.

The U.S. 'Pivot' to Asia is of concern to our allies in the region as it directly affects the geo-political-military balance of power in the area. In a Centre for Defence and Strategic Studies paper by Colonel Chris Mills of the Royal Australian Infantry Corps, the U.S. rebalance towards Asia is discussed not only in the terms of U.S. actions but Chinese reactions and Australian options. Col. Mills authored *The United States' Asia-Pacific Policy and the Rise of the Dragon* as an Indo-Pacific Strategic paper at the Australian Defence College. In his commentary, Col. Mills states that the U.S. pivot to Asia was spurred on by an imbalance in the global focus of U.S. national power coupled with the emergence of a more assertive and powerful China in addition to recognition of the ever-increasing economic importance of the Indo-Asia-Pacific basin. "The key objective was to devote more effort to influencing the development of Asia-Pacific norms and rules which, it was foreseen, would in turn secure US interests and leadership in the region" (Mills 2015).

Review of Chinese and U.S. policies in dealing with the SCS reveal a desire for a peaceful accommodation of China into the regional order. But it is the very nature of this accommodation that comes under contention. The U.S. would prefer to remain a leader in the region thereby securing U.S. interests and advancing U.S. values in the area. China, on the other hand, believes any accommodation in the SCS must include "safeguarding China's national unity, territorial integrity and development interests" (Mills 2015).

Most analysts believe that, given the differences in perspectives on accommodation, points of friction between the two superpowers are inevitable. Col.

Mills, however, believes that China's response options will not be characterized by dangerous or overtly aggressive competition that may lead to a new type of Cold War. More likely, he suggests, is that the "Chinese response option would be based on some form of power-sharing agreement between the U.S. and China" (Mills 2015). Col. Mills bases this opinion on the global ramifications that would occur if the world's two largest economies and international trading partners were to suddenly engage in a rapid and sustained tactical engagement.

Overall, Col. Mills' assessment states that Chinese acquiescence to continued U.S. leadership in the region is unlikely just as the U.S. will be just as unlikely to give up this leadership position. In the end, "increased strategic competition between the two may be inevitable, the paper notes that the economic interdependencies between China and the US make conflict unlikely" (Mills 2015). Mills conclusion is that the most likely outcome from these SCS tensions will eventually result in some form of power-sharing arrangement with greater recognition of China's role and influence in the region.

### Summary

The waters of the SCS are an important and necessary maritime transit and shipping region for global travel and transportation of goods. There remain in place a variety of bilateral and multilateral agreements in the SCS that are attempting to resolve some of the tensions that are increasingly threatening the already tenuous stability in the region.

The abundant literature available on the SCS and the disputes between claimant nations illustrate the complex and often differing opinions present. The identification of motivations for staking claims in the SCS, compared with the legal status of those claims



underpin some of the strategies employed by the regional actors in solidifying and defending their relative claims. Additionally, the U.S. needs to reengage the pivot to Asia in order to foster multilateral relations throughout the area. The review of literature dealing with these topics have revealed a noticeable trend that confirms this analysis.

In the next chapter, the methodology used to explore the various options for the U.S. will be discussed. This discussion will involve application of using the U.S. planner's Strategic Estimate analytical tool as a basic format as described in Joint Publication (JP) 5-0 *Joint Operations Planning* Appendix B. Methodology will also include reviewing the operational environment variables through the PMESII-PT framework as reviewed in Army Doctrine Reference Publication (ADRP) 5-0 *The Operations Process* and in the U.S. Army War College (AWC) *Campaign Planning Handbook 2015*. Lastly, various Courses of Action will be explained as a method for laying out potential U.S. options in resolving tensions in the SCS utilizing by examining the options as outlined in Field Manual (FM) 6-0 *Command and Staff Organizations and Operations*.

## CHAPTER 3

### RESEARCH METHODOLOGY

China plans to extend its global military reach to safeguard its economic interests, while defending its territorial claims at sea.

— Simon Denyer, *The Washington Post*

#### Overview

The research conducted thus far on the SCS, the encroachment of China into the area, the reactions of various claimant states, and U.S. efforts to resolve these issues exist in an ever-evolving state. Chinese methods of ‘salami-slicing’ in the region, their incremental approach to seizing control through a variety of methods, has proven successful up to a point. China’s use of all the instruments of national power, or DIME, in order to achieve regional hegemony defines this operational environment. This chapter will outline three analytical methods used to refine and clarify not only the issues but also provide a basic framework for analysis in understanding the problem and generating potential solutions.

#### Strategic Estimate

First, the analysis that follows will follow the Strategic Estimate format as outlined in JP 5-0 Appendix B. Generally speaking, “the strategic estimate is an analytical tool available to Combatant Commanders (CCDRs) prior to the development of theater strategies or the design of global campaign plans” (U.S. Joint Chiefs of Staff 2011, B-1). Ideally, the strategic estimate is more comprehensive in scope than other estimates and encompasses all aspects of the CCDR operational environment. This tool

can also be used towards the development of the Geographic Combatant Commanders (GCC) theater strategy.

In essence, the strategic estimate follows a basic format. First, it analyzes the broad policy, guidance, and direction to the situation and attempts to identify the strategic requirements in both the regional and global arenas. This is done by reviewing the pertinent U.S. policy goals or military objectives assigned to the Combatant Command (CCMD), identifying the multinational policy goals, and what end states are desired. Secondly, the strategic estimate analyzes information on the characteristics of the strategic environment. This is accomplished by breaking the area down into strategic facets such as the AOR, Area of Interest (AOI), adversary forces, friendly forces, and neutral forces. Third, this tool seeks to make an assessment of any other major strategic and operational challenges that may arise such as security cooperation, HADR, stability operations and direct military confrontation. Fourth, this framework allows for exploration of potential opportunities to improve the situation or further U.S. interests. Finally, there is the identification and assessment of the risks involved in strategic operations.

### Operational Variables

The second analytical tool that will be used throughout the study and is key to understanding the operational environment is gathering information based on information gathered on a set of operational variables. These variables “analyze and describe an operational environment in terms of eight interrelated operational variables: political, military, economic, social, information, infrastructure, physical environment, and time (PMESII-PT)” (U.S. Department of the Army 2012, 1-7). Additionally, the PMESII-PT

framework uses a systems perspective “in order to envision developing and employing operations for joint, interagency, intergovernmental, and multinational (JIIM) action” (U.S. Department of the Army War College 2015, 30). Not only does this analysis help commanders build a situational understanding of the operational environment, but produces a holistic view of the relevant enemy, adversary, neutral, and friendly systems as a complex whole.

### Courses of Action

The third analytical tool to be used is the development of specific courses of action. It is already evident that the strategic estimate analysis and the operational variable analysis directly complement one another. With this accumulated data, it is then practicable to develop some likely Courses of Action (COAs) for U.S. involvement in regard to easing tensions in the SCS. To review, COAs “provide broad potential solutions to an identified problem” (U.S. Department of the Army 2014, 9-16). As such, developing COAs generate options for subsequent analysis and comparison that may help to satisfy the planning guidance and commander’s intent. When planning specific COA strategies, each perspective option is first tested for validity prior to submission. This is done using specific screening criteria.

First, the COA must be deemed to be feasible. In other words, can this COA accomplish the mission requirements within the allotted time frame while taking into account the various resource, space, and time restrictions that may exist. Secondly, the COA must be acceptable. To be considered acceptable, a COA must be able to balance the advantage gained by using this action against any cost or risk associated with the plan. Third, a COA has to be suitable, meaning that the plan developed for this action can

indeed achieve mission accomplishment as outlined within the intent and planning guidance of the commander. Fourth, when presented as an option among many, each COA must stand out from one another. Each COA has to be significantly distinguishable from the others in order to truly be considered a separate option. Lastly, a COA must provide for completeness. This criteria entails planning and providing for shaping and sustainment operations as well as outlining some of the tasks to be achieved.

### Summary

To this end, the next chapter will conduct analysis on the SCS by first looking at a Strategic Estimate and PMESII-PT. Then, three COAs the U.S. may implement in order to ease or reduce tensions in the SCS will be offered. Each COA will incorporate elements brought to light in the strategic analysis and operational variable review.

## CHAPTER 4

### ANALYSIS

The primary purpose of the islands that the People's Liberation Army is busy reclaiming in the South China Sea is strategic positioning against its neighbors—which include key American allies.

— Michael Pillsbury, *The Hundred Year Marathon*

#### Overview

This chapter seeks to uncover some of the threats and challenges facing the future of the region in regard to freedom of navigation, free trade and commerce, and the sovereign national security of multiple nations. These pressures are being instigated primarily by the People's Republic of China and their incremental encroachment into Southeast Asian waters. This chapter will present analysis using three mechanisms. First, use of the Strategic Estimate framework is used to facilitate the employment of military forces across the range of military operations. It is used to encompass all aspects of the CDR's operational environment and is usually used as a basis for development of a theater strategy. The result of using the Strategic Estimate is a better understanding and visualization of the complete security environment to include potential adversaries, friends and neutral parties. China's motivations and mechanisms for encroachment will be explored using the operational variables as they pertain to the PMESII-PT system. Research of the operational variables are fundamental to developing a comprehensive understanding of an operational environment. This chapter will close out with analysis of three distinct COAs to include the opportunities and risks inherent in each. Prospective

COAs will be examined for validity using standard screening criteria to determine feasibility, acceptability, suitability, distinguishability, and completeness.

### Strategic Direction

#### U.S. Policy Goals

Analysis using the Strategic Estimate format begins with looking at the strategic direction in which policy, guidance, and authoritative direction to the SCS situation applies. Since the beginning of President Obama's second term the subsequent pivot to Asia has gained momentum. U.S. policymakers and commanders have reiterated the same national security message. That message is that the enduring and key aspect of the U.S. policy approach to the SCS is to reassure the region that the U.S. remains committed to rebalancing toward Asia and toward SEA in particular. This missive of being committed to a peaceful, stable and prosperous SEA is meant to not only reassure our partners and allies in the region that the U.S., despite the myriad challenges it faces globally, will continue to have and even increase its presence in the region while simultaneously putting China on notice that the U.S. intent is to not stand idly by while China continues its aggressive stance in the SCS. The inherent challenge to this policy, however, relies upon the ability of the U.S. to engage and urge the partner nations in and around the SCS to take on a greater responsibility for defending the common interests in the region.

U.S. policy goals as they pertain to military objectives continue to be FON operations for transit, bilateral and multilateral exercises, ensuring clear waterways for commercial trade and commerce, and the ability to quickly respond to HADR events. U.S. Pacific Command (PACOM) Commander reiterated this stating "U.S. Freedom of

Navigation Operations (FONOPS) in the South China Sea will increase not only in number but also in scope and complexity amid China's growing control of surrounding waters" (Parameswaran 2016).

#### Non-U.S./Multinational Policy Goals

A second portion of the strategic direction criteria involves looking at what non-U.S. or multinational goals and security look like for the region. This includes both strategic tasks and military objectives with which the CCMD may be involved. Strategically, the nations of the SCS are primarily concerned with losing access to their claimed territories in the SCS and the subsequent ability to exploit the much needed natural resources for national gain. As a result, ASEAN, with some prodding from the U.S., has conceived of a Code of Conduct in which member nations agree to certain rights and access in areas of the SCS. Unfortunately, despite China being a signature member of this document, they have not adhered to its principles. This directly impacts the effectiveness of not only the document, but diminishes the authority of the ASEAN body as there is no real way for even the combined militaries of the region to enforce adherence of the Chinese.

#### End State

The final piece of the strategic direction analysis attempts to describe the strategic end state and related military end state to be accomplished. Ideally, the strategic end state would involve an end to Chinese aggression and occupation of disputed territories in the SCS, at least until such a time as an agreement could be brokered to the mutual satisfaction of all parties. This aligns with the U.S. desire to maintain peace and stability



in the region. A highly desired military end state for both the U.S. and the non-Chinese claimant states would likely include a cessation of island reclamation efforts on those disputed territories to include the building of military infrastructure and support structures. An agreement on some kind of economic sharing between nations would also likely bring about an end to Chinese military and Coast Guard harassment of native fishermen in their native waters.

### Strategic Environment

#### Area of Responsibility

The second section of the Strategic Estimate involves analysis of the characteristics of the environment. This begins with a look at the AOR as a whole and its relevant geographic issues. This can best be done by reviewing the internationally agreed to legal conditions of how territories are defined. In this analysis, it is important to understand how the international community has defined rights and privileges of a sovereign country in regard to control and ownership of territorial freedoms. UNCLOS negotiations arrived at a compromise around the concept of an EEZ. While not legally considered as territory, an EEZ would grant coastal states the right to regulate and exploit resources found within this zone. “On 10 December 1982, the world’s governments had agreed that coastal states could claim a territorial sea 12 nautical miles (22 kilometres) wide, an EEZ out to 200 nautical miles (370 kilometres) and perhaps an ‘extended continental shelf’ beyond that” (Hayton 2014, 112).

To be clear, an EEZ is “a maritime area beyond and adjacent to territorial sea in which the coastal State has sovereign rights and jurisdiction. These rights are less than full sovereignty. All States have freedoms of navigation and overflight in the EEZ. The

maximum breadth of the EEZ is 200 miles from the baseline from which the breadth of the territorial sea is measured” (UNCLOS 1982). This definition provides a clear-cut idea for all involved on just where a particular sovereign country’s authority occurs in relation to their territory.

The continental shelf issue is less easily defined as territorial expansion beneath the sea is not easy to determine. Nonetheless, the UNCLOS ruling has attempted to explain the continental shelf argument as comprising “the seabed and subsoil of the submarine areas beyond the territorial sea throughout the natural prolongation of the land territory to the outer edge of the continental margin. The continental margin is the submerged prolongation of the land mass of a coastal State. It consists of the seabed and subsoil of the shelf, the slope, and the rise. The maximum breadth of the continental shelf is 200 miles from the baseline or more if certain criteria are met” (UNCLOS 1982).

#### Area of Interest

The primary Area of Interest (AOI) in this region revolves around those areas claimed by China. China rests its claims of sovereignty on historic entitlements. Namely, that the islands of the SCS have for thousands of years formed an integral part of their southeast frontier. There is evidence that “expeditions to the islands have discovered various Chinese artifacts, such as chinaware and copper cash from the Tang and Song dynasties” (Jacques 2012, 377). This evidence has been used to buttress the historic claims and demonstrate that the islands have long been a part of China. Chinese maps show the islands of the SCS as clearly being within a historic claim line and therefore are a part of China. Other historical events China points to as proof of ownership include naval expeditions to the Spratly Islands by the Han Dynasty in 110 A.D. and the Ming

Dynasty from 1403-1433 A.D. Chinese fishermen and merchants have worked the region over time and China is using this archeological evidence to bolster its claim of sovereignty.

In the 19th and 20th century, China asserted claims to the Spratly and Paracel Islands. During World War II, the islands were claimed by the Japanese. In 1947, China produced a map with nine undefined dotted lines, and claimed all of the islands within those lines.

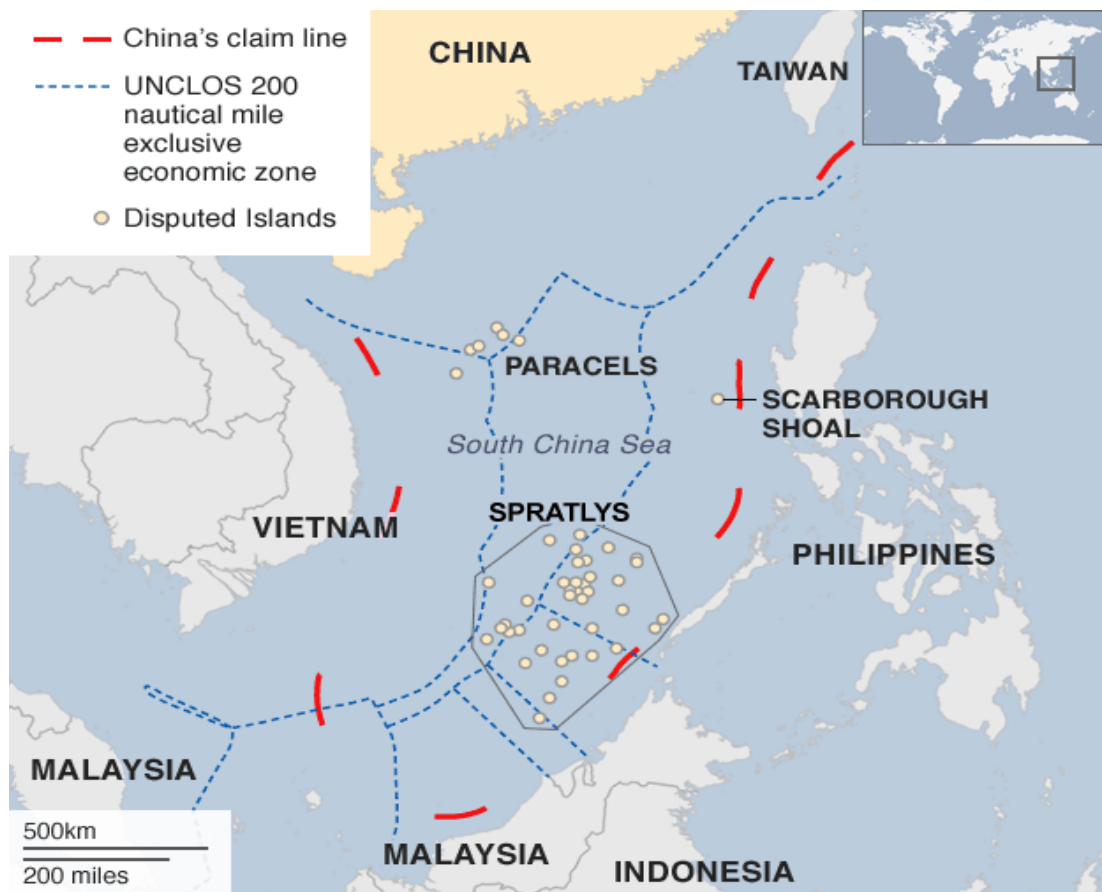


Figure 8. China's Nine-Dash Line

Source: BBC, "Why is the South China Sea contentious?" accessed November 11, 2016, [www.bbc.com/news/world-asia-pacific-13748349](http://www.bbc.com/news/world-asia-pacific-13748349).

This claim, denoted by the ‘nine-dash line’, outlines virtually all of the sea and dates back to maps drawn by the former Nationalist Government in 1946. The territory claimed encompasses nearly “2 million square kilometers, includes land features such as the Paracel Islands (also claimed by Vietnam), Scarborough Reef (claimed by the Philippines and Taiwan), and the Spratly Islands (claimed in whole or in part by Taiwan, Vietnam, the Philippines, Malaysia, and Brunei)” (Haddick 2014, 18).

China seeks to use these maps and artifacts as proof of their historical linkage to the islands in the East and SCS to justify asserting expansive territorial claims. At a summit meeting in May 2010, a Chinese spokesman “asserted its claim to the Spratly Islands, adding tens of thousands of square miles of ocean and extending its territorial waters nearly to the coasts of Vietnam and the Philippines” (Pillsbury 2016, 203).

The idea of historic claims finds expression in the Chinese use of “intemporal law, which concerns rights or wrongs in the historical past” (Jacques 2012, 377). At its essence, the intemporal law argument contends that a claim such as the ones China are insisting upon in the SCS should be adjudicated from the viewpoint of the laws and customs of the time in history when the claim was established. Chinese legal scholars argument of this point have stated that “a judicial fact must be appreciated in the light of the laws contemporary with it, rather than the laws in force at the time when a dispute arises” (Jacques 2012, 377). The Chinese view this stance as providing legitimacy to their SCS claims as opposed to the present international legal system.

Specific Chinese claims include the Spratly Islands, which China refers to as the Nansha Islands. These claims are not marked by coordinates or otherwise clearly defined. China also claims the Paracel Islands (referred to as the Xisha Islands), and includes them

as part of its Hainan Island province. China has occupied eight of those islands to enforce its claims.

### Adversary Forces

The adversary forces in play for this analysis is China's People's Liberation Army (PLA). More specifically, the People's Liberation Army Navy and elements of the Chinese Coast Guard. Vessels from both services have maintained a presence near their outposts in the Spratlys and the Paracels which have involved skirmishes with both the Philippines and Vietnam. A history of these clashes is presented in the tables located in Chapter 2. An increase in Chinese aggressiveness is directly attributed to their overall national policy, but the reason the Chinese have been able to successfully carry this policy out is due in no small part to the military modernization program. China's overall military modernization involves renewed efforts across a spectrum of systemic issues to include a deepened logistics reform, advanced weaponry and equipment, improving recruitment of military personnel, improved discipline, enhancing military training, placing an emphasis on cyberspace operations, and revising its management principles. These techniques translate into increased prominence for its blue water naval fleet as "great importance has to be attached to managing the seas and oceans and protecting maritime rights and interests" (People's Republic of China 2015).

### Friendly Forces

As outlined earlier, the U.S. possesses and maintains several important bilateral and multilateral MDTs and security cooperation agreements with countries in the Indo-Asia Pacific region. In fact, five of the seven existing U.S. MDT's maintained are found

in the Western Pacific. These countries include the Philippines, Australia and New Zealand, Japan, South Korea, and Thailand. Additionally, there are other claimant states that may be willing to partner with the U.S. as those countries try to resist China's encroachment into their perceived territorial waters.

### Vietnam

Although not a treaty partner of the U.S., Vietnam represents a unique opportunity for the U.S. to positively engage with a claimant country that is at odds, and have some of the more violent clashes with China. Vietnam bases some of their claims on historic precedent just as China does, but also rely upon the continental shelf principle. As part of their historical claims, Vietnam, like China, point to archaeological evidence. In the 1930's, France claimed the Spratly and Paracel Islands on behalf of its then-colony Vietnam. Since that time, Vietnam has occupied 20 of the Spratly Islands to enforce its claims.

Vietnam claims the entire Spratly Islands as an offshore district of one of its coastal provinces. Vietnamese claims also cover an extensive area of the SCS, although these are not clearly defined. Additionally, Vietnam also claims the Paracel Islands, although these were seized by the Chinese in 1974.

### Philippines

Perhaps one of the oldest partnerships in Southeast Asia exists between the U.S. and the Republic of the Philippines. As a direct claimant state and a nation that has had a long-standing MDT with the U.S., the Philippines presents an opportunity to not only to invoke a binding treaty but to solidify a relationship with an important and strategically

located ally in the region. A relationship that has had a tumultuous and violent past. In 1898, The Philippines were occupied by the U.S. after Admiral George Dewey defeated the Spanish fleet in Manila Bay as one of the many battles during the Spanish-American War. That war ended with the 1898 Treaty of Paris in which Spain ceded the Philippines as well as Guam to the U.S. Thus began a very long and protracted war of resistance by the Filipino people against U.S. occupation. The Philippines gained their independence in 1946 after again having been occupied by a foreign force; this time it was the Japanese during World War II. Finally, in 1951, the U.S. and the Philippines signed a Mutual Defense Treaty. However, in 1991 the Philippines Senate rejected an additional treaty that would have expanded U.S. basing in the island chain in order to ensure continued use of the Philippines as a forward staging point. These strategic bases, Clarke Air Base and Subic Bay Naval Base, were key American outposts until this time. The loss of those bases was considered a low point in the U.S. – Filipino relationship. However, since this time, bi-lateral relations have steadily improved. Then, in 1998 saw the two nations sign a Visiting Forces Agreement (VFA). “Under the VFA, the United States and the Philippines regularly conduct the joint Balikatan military exercise to improve interoperability and combat readiness for counter terror operations, and U.S. ships make regular calls in Philippine ports” (Vaughn 2007, 23). In 2003 the United States designated the Philippines as a major non-NATO ally.

Unlike China and Vietnam, Philippine claims have clearly defined coordinates, based both upon the proximity principle as well as on the explorations of a Philippine explorer in 1565. In 1971, the Philippines officially claimed eight islands that it refers to as the Kalayaan, based in part on this exploration. Arguments for the right to possess

these islands claim that these particular landmasses were not considered to be part of the Spratly Island chain. Additionally, the Kalayaan islands had not belonged to anyone and were open to being claimed. In 1972, they were designated as part of Palawan Province and have been occupied.

### Malaysia

Malaysia stakes its SCS claims using its 12 nautical mile territorial rights, the EEZ extension, and the continental shelf principle and have clearly defined coordinates for their claims. Additionally, Malaysia has made claims for an extended continental shelf in the southern part of the South China Sea. Malaysia has occupied three islands that it considers to be within its continental shelf. Malaysia has tried to build up one island by bringing soil from its mainland and has actually built a hotel in order to prove habitability. This island, Swallow Reef, “has been occupied since 1983. Some 70-plus soldiers are stationed here and maintain a beacon. There is a fishing port and a 15-room diving resort, including a 1.5-km airstrip” (Roach 2014).

### Brunei

Brunei does not occupy any of the islands, but claims part of the SCS nearest to it as part of its continental shelf and EEZ. The boundary lines are drawn perpendicularly from two outermost points on the Brunei coastline. In 1984, Brunei declared an EEZ that includes Louisa Reef, a southern reef of the Spratly Islands.

### Indonesia

Indonesia, as one of the most populous countries in SEA, also has concerns about Chinese encroachment into the SCS. Though Indonesia is not a claimant to any of the



Spratly Islands, they remain alarmed as to Chinese interest in Indonesia's claimed islands south of the SCS. This is of particular concern for the archipelago of Natuna which houses Indonesia's largest deposits of natural gas. Relations with Indonesia have steadily improved, and continue to grow, ever since the country's move towards democracy in 2004.

#### Australia/New Zealand

Probably one of the most important treaty allies of the U.S. can be found in the Mutual Defense Alliance signed between the U.S., Australia, and New Zealand with whom we share common values and an historical experience originating in Great Britain. The strategic value of Australia lies in its location just to the south of the SCS where U.S. and other allies are able to conduct port-calls during FON operations in the region. Here too, the U.S. has a shared history of combined military effort. Australia and New Zealand fought alongside the U.S. in both World Wars, The Korean conflict, and in Vietnam. The strategic defense relationship between Australia, New Zealand, and the U.S. was formalized by the signing of the ANZUS Treaty in 1952. The ANZUS treaty is a collective security agreement which binds Australia, New Zealand and, the U.S. to cooperate on military matters in the Pacific Ocean region, although today the treaty is taken to relate to conflicts worldwide. The treaty stipulates that an armed attack on any of the three parties would be dangerous to the others, and that each should act to meet the common threat.

Australia is viewed as the staunchest of U.S. allies in the region and is equated to in importance as the United Kingdom in the Pacific. Australia views U.S. engagement in the Asia-Pacific as "the foundation of the region's strategic stability and security since

World War II, and is no less relevant sixty years on” (As quoted in Vaughn 2007, 18).

Australia invoked the ANZUS treaty in order to come to the assistance of the U.S. in the wake of the attacks on 9/11. Additionally, Australia has provided combat troops to Afghanistan and Iraq and has been the leader for counterterrorism efforts in Southeast Asia.

The New Zealand portion of this trilateral alliance was suspended in the mid-1980s as a result of New Zealand’s anti-nuclear policies against the U.S. Today, New Zealand and the United States remain friends if no longer formal allies. Recently, some of these restrictions on defense cooperation between the U.S. and New Zealand, to include training exercises, are returning to pre-suspension levels. For example, the U.S. issued a waiver for New Zealand to participate in a maritime interdiction exerciser related to the Proliferation Security Initiative in August 2006. In recent years, Australia and New Zealand have done much to promote regional stability through their leadership of peace operations in East Timor, Bougainville in Papua New Guinea, and in the Solomon Islands.

### Japan

The U.S. and Japan have grown from enemies in World War II to the closest of allies today. In 1951, the U.S. signed a Treaty of Peace with Japan at the San Francisco Peace Conference. The Treaty actually came into force in 1952 and dictated that Japan grant the U.S. the territorial means to establish a military presence in the Far East. Moreover, the accord stated that Japan be prohibited from providing foreign powers any bases or any military-related rights without the consent of the U.S. In 1960, this accord was followed by the Treaty of Mutual Cooperation and Security. This treaty amended the

first so that now the articles pertain more to mutual defense obligations. In essence, this treaty established that any attack against Japan or the U.S. perpetrated within Japanese territorial regions would be dangerous to the respective countries' own peace and safety. It requires both countries to act to meet the common danger. To support that requirement, it provided for the continued presence of U.S. military bases in Japan. The treaty also included general provisions on the further development of international cooperation and on improved future economic cooperation.

Japan does play a very important and indispensable role in America's structure of regional alliances and has been described as providing the "foundation for the peace and stability that have enabled the prosperity we see throughout the Asia-Pacific region" (As quoted in Vaughn 2007, 19). Japan remains one of America's strongest allies in Asia as it hosts over 53,000 American military personnel. The U.S. and Japan share a mutual strategic outlook that is becoming increasingly concerned about a rising China and a North Korea whose nuclear ambitions continue.

### Korea

The alliance with Korea dates to the 1953 U.S.-R.O.K. Mutual Security Agreement that followed the 1950-53 Korean War. Signed on October 1, 1953, two months after the signing of the Korean Armistice Agreement, the agreement commits the two nations to provide mutual aid if either faces external armed attack and allows the U.S. to station military forces in South Korea in consultation with the South Korean government. To this end, South Korea contributed large numbers of troops to U.S. efforts in Vietnam and Iraq. This agreement still holds today, although there are fissures in this bilateral arrangement stemming from issues such as an increasingly aggressive North

Korea, historical grievances with Japan, and a U.S. policy on the restructuring of U.S. forces in South Korea without the consultation of the South Korean government as outlined in the treaty.

### Others

In addition to those countries listed above who enjoy either formal alliances or security cooperation measures with the U.S., there exist other key strategic relationships that affect the SCS. Singapore has been a close partner for some time in the counterterrorism and commerce sectors and has a formalized strategic and defense relationships with the U.S. India is emerging as one of the U.S.' most important strategic partners in South Asia and beyond. And Taiwan, even though they are no longer a treaty ally, continues to be covered by the provisions of the Taiwan Defense Act.

### Neutral Forces

There is no one country that readily leaps to mind as being truly neutral. Although it may be that several countries in the region are accepting to some extent of increased Chinese presence due to that country's immense economic influence. The tendency is to allow some inconveniences in exchange for continued trade and commerce without which most economies in the area would suffer.

### ASEAN

It may be argued that the ASEAN is not a true neutral player as many of its members have littoral concerns at stake., however at its essence, ASEAN is meant to provide a forum for SEA countries to be able to voice their grievances and seek cooperative solutions without the use of fear, intimidation, or violence in order to

maintain a safe and stable environment. Neither China nor the U.S. are counted as member countries of ASEAN, however China does wield considerable influence when it comes to some member nations such as Cambodia and Thailand. As such, China has occasion to use its might to influence the way some rules and regulations are being enacted. Once the U.S. gained attendance at the Asia Regional Forum (ARF), it was then able to provide a counterbalance and alternatives to Chinese influence. One such way was the assistance the U.S. provided towards the development of a Code of Conduct in regard to actions taken in the SCS. China has yet to accede to the ASEAN request to fully ratify “the Code of Conduct regarding the peaceful settlement of disputes in the South China Sea be made legally binding” (Jacques 2012, 372).

One of the voices in ASEAN that can and should take a larger role in leading that organization is Indonesia. While not geographically a part of the SCS claimant cadre, Indonesia has concerns as to China’s intentions toward Indonesia’s Natuna gas fields in the Rian Islands province. These islands just happen to fall within China’s claimed nine-dash line. As a charter member of ASEAN, and a country with a large presence in the region, while also controlling a large part of the all-important transshipment routes of the Malaccan Straits, Indonesia can be extremely influential in trying to reconcile SEA disputes or foster a conclusion to the long-awaited ASEAN Code of Conduct which is designed to reconcile such contentions.

#### United Nations

The U.N., as the primary arbiter on these territorial disputes can perhaps be considered as the primary force that has a neutral stake in the SCS. Although the UNCLOS rulings did not go in favor of the Chinese, this decision was arrived at from

deliberation as to legality and legitimacy based upon internationally recognized definitions and classifications of territory and other possessions.

### Major Strategic and Operational Challenges

The third section of the Strategic Estimate is geared toward determining some of the major strategic and operational challenges presented towards attempting to achieve the desired end state. In an area the size of the SCS, and in dealing with a country with the size and influence of China, there are bound to be several challenges to which CCDRs are to remain cognizant in the AOR. However, perhaps the most pressing is concern over U.S. obligation toward defending MDT partners in the SCS in the event China conducts a kinetic attack on one of our treaty allies.

This issue came to light when Chinese patrol vessels in and around the Scarborough Shoal prevented Philippine fishermen from entering traditional waters by hosing them with water guns or physically barring the fishermen by blockade or ramming. This could be seen as an opportunity to invoke the MDT with the Philippines which obligates the U.S. to intervene and take sides over the sovereignty question. This, as it turns out, is not the case. “In fact, U.S. policy-makers have repeatedly pointed out that Washington takes no position on sovereignty claims, including those made by the Philippines on portions of the Spratly group annexed after the Mutual Defense Treaty with the Philippines was signed on August 30, 1951” (McDevitt 2014, 28).

### Potential Opportunities

In this fourth section of Strategic Estimate, the analysis attempts to “display known or anticipated circumstances as well as emerging situations that the CCMD may

use as positive leverage to improve the theater strategic situation and further US or partner nation interests” (U.S. Joint Chiefs of Staff 2011, B-3). Each opportunity defined must be evaluated with respect to the existing guidance or limitations as determined by the GCC. This crisis in the SCS presents a unique opportunity for the U.S. to reinvigorate its relationships with nations in SEA as a viable and more secure option to dealing or relying on China to provide security in the region. While the U.S. position may not be altruistic in nature, after all any deal made would have to be seen as mutually beneficial to all parties involved, dealing with the U.S. presents a better alternative for SEA nation building than what has been presented by the Chinese thus far. Additional opportunities for regional partner engagement and advantages will be presented when appraising the various COAs later in this chapter.

### Assessment of Risks

Of course no analysis is complete without determining the risk involved with executing any approved plan. The assessment of risk involves analyzing the probability and severity of loss linked to hazards. During the assessment phase, determining risk should include not only the potential challenges involved in a contentious situation but also the capabilities present to mitigate the severity of those risks. Additionally, it is important to weigh those risks against the significance of gain or the likelihood of occurrence. Again, these risks will be discussed as the COAs are developed which will include identification of a most significant as well as a most dangerous COA. Of note, comparing COAs depends on a variety of factors, but that is not to say that a most dangerous COA will not be chosen as it may also present the greatest reward or be the COA with the better chance of achieving the overall objective.

### PMESII-PT

This methodology makes use of the Army method of PMESII-PT as opposed to the joint doctrine which removes the Physical and Time components. For the purposes of this study, the addition of the Time factor is essential to truly understanding Chinese methods of encroachment in the SCS. China has enjoyed great success in expanding its civil and military presence in the SCS by masterfully employing all of the tactics in PMESII-PT as they swiftly and gracefully move from one strategy to another as the situation demands or as conditions allow. This campaign has been described several ways, but the phrase that sticks out is the ‘salami slicing’ analogy to encompass these tactical advances as viewed by observers. Probably the more politically correct term is a form of tailored coercion. Whatever the label, SEA nations attempt to counter each of these premeditated actions as best they are able. Additionally, they need to work to establish broader coalitions to more effectively counter this larger pattern of gradual expansion by the Chinese.

### Political

The political operational variable describes the distribution of responsibility and power at all levels of governance to include formally constituted authorities, as well as informal or covert political powers. Political analysis shows the Chinese administration’s expansionist theme in the SCS is geared less on internationally recognized legal principal, such as UNCLOS rulings, and more on interpretations of its historical claims to the region. China relies on the amount of political pressure it can bring to bear in the international community in order to ensure its superiority over other sovereign nations.



Each of the SCS claimants has a designated provincial government to oversee its SCS territories and has made public statements on its SCS claims. China, however, has intensified its challenges in these areas by designating a municipal SCS government and expanding its government facilities and operations centered in the Paracels. China continues to challenge and ignore the applicability of international norms, such as UNCLOS, to the SCS disputes.

SCS claimants routinely issue informal and formal (or demarches) complaints against one another over issues of illegal fishing, resource exploitation, immigration, and other issues. Additionally, the region is continually engaged in forums and negotiations in order to find some consensus or resolution to common difficulties. China, however, often works to overpower these processes when not in their favor by employing several avenues of pressure. China will delay progress in multilateral negotiations, such as an ASEAN Code of Conduct, and work toward disrupting ASEAN unity whenever they address an issue of regional concern involving China or between each other.

### Military

The military operational variable explores the military and paramilitary capabilities of all relevant actors in a given operational environment. When considering China's actions and influences in the SCS, the PLA, and the PLAN in particular, is functions as the primary enforcer of Chinese policy. Chinese power projection in the areas of interest stem from the PLAN ability to remain on station for extended periods of time and routinely increases the patrolling and presence of its forces in the area. This has been facilitated by a military modernization program and the establishment of outposts in the SCS as China rapidly expands its maritime security capabilities. China also continues

to actively challenge hydrocarbon exploration activities of other claimant states and even enacts blockades or otherwise prevents other nations from conducting activities in the SCS as is evidenced by the PLAN preventing Philippine resupply of their outpost at Second Thomas Shoal. Contrary to this, SEA claimant states, despite their best efforts to modernize their maritime security, are continually falling farther behind China in defensive capabilities in the SCS.

### Economic

China has a demonstrated need to have unfettered access to the wealth of natural resources available in the SCS. China's need of the rich gas and oil deposits makes evaluating and assessing the economic operational variable paramount in determining the PRC's motivations for regional dominance. The economic factors to consider encompass individual and group behaviors related to producing, distributing, and consuming resources. As the largest economy in the region, the economic pressure China can bring to bear against Southeast Asian nations is enormous. From time to time, China will put pressure on other SCS claimants through economic-related mechanisms such as announcing bans on fishing activities in parts of the SCS or threatening to withhold trade or impose sanctions. China has occasionally encouraged its fishermen to expand the scope and range of their operations in order to encroach upon the traditional fishing waters of other nations. There has also been well-documented activity of Chinese oil platforms and other research vessels that conduct hydrocarbon surveys and exploration operations in areas of the SCS well within other sovereign territories' EEZ.

## Social

The social operational variable describes the cultural, religious, and ethnic makeup within an operational environment and the beliefs, values, customs, and behaviors of society members. The Chinese government has been ramping up its efforts within its own population to convey their efforts in the SCS as a matter of national pride; the taking back of what China deems is rightfully and historically theirs. To this end, China has begun issuing official documents such as textbooks and atlases that show the SCS to be a possession of China. China has even modified its passports issued to citizens so that the map of China on those passports include the whole of the SCS.

## Information

The nature, scope, characteristics, and effects of individuals, organizations, and systems that collect process, disseminate, or act on information is the operational variable China employs when promulgating their message. China's ability to portray the country as the rightful possessors, and by extension the defenders of, what they perceive as their sovereign territory in the SCS is the cornerstone to their claims in the region. The state-run media in China is able to constantly reiterate and disseminate this message of indisputable sovereignty over the SCS to the populace while clinging to their historical claims via the 'intemporal law' argument made by Chinese legal scholars. The information campaign presented to the international community continually harps on challenging the value and legitimacy of internationally recognized maritime law. In this vein, China has maintained that the issue of SCS territorial ownership should be left to the claimant nations resolving the issues amongst themselves by challenging the

appropriateness of other nations, such as the U.S., getting involved in this neighborhood dispute.

### Infrastructure

For decades Southeast Asian nations have established a presence on landforms and atolls in the SCS, particularly in the Spratly Island chain. In order for China to bolster their historical claims, they have taken to building substructures on some of the islands currently under dispute. The infrastructure operational variable describes the basic facilities, services, and installations needed for the functioning of a community or society. China moved forcefully into the Spratlys in the late 1980's and eventually established several outposts to include the takeover of Mischief Reef in 1995. Over the past decade, China has been accelerating expansion into the Spratlys and has built, and continues to build, a series of garrisons, piers, ports, and runways all in an effort to show occupation and habitability of the various islands and shoals.

China has placed physical markers such as a string of buoys, rock, and concrete slabs containing Chinese phrases, as well as placing underwater steel markers near reefs and shoals while simultaneously removing markers emplaced by other claimants. In 2014, China began a massive undertaking of land reclamation and land formation operations in order to vastly expand the amount of above-high-tide land on the reefs it controls that will allow for the construction of naval ports, businesses, civil support buildings, and airport facilities. By showing that these landforms are habitable, it may qualify the outposts as territorial possessions of China which may bring with it certain legal rights such as the 12 nautical mile territorial rule and possibly extended EEZ claims. Part of this organization includes an administrative center located on one of the possessed

shoals. This could be considered as representing a valid, functioning government agency in the region further bolstering China's claims of legitimacy.

### Physical

In addition to the vast energy resources and bolstering national pride, China also has designs on controlling the waterways and transit routes throughout the SCS. The physical environment that makes up the region is extremely important for transit routes of merchant commercial shipping as well as blue water and local navies for power projection and coastal defense. The physical environment operational variable includes the geography and man-made structures as well as the climate and the weather in the area of operations. Should China gain control of these transit points, it could affect the economies of virtually every country in the region as well as those that conduct trade and commerce in the area. Restricting freedom of navigation, particularly for the U.S., would severely impact our ability for power projection as well as to render humanitarian assistance and disaster relief.

### Time

The final operational variable employed is the time element. This describes the timing and duration of activities, events, or conditions within an operational environment, as well as how the timing and duration are perceived by various actors in the operational environment. This is reflected by China's incremental approach toward seizing landforms in the SCS. Their application of steady pressure and increasingly persistent presence on and around disputed claims shows this slow accumulation of small changes. When analyzed individually, each incident seems to be a separate, isolated incident. When

viewed in their totality, a clear pattern emerges of an intentional and incremental encroachment by the Chinese into territory that is at best disputed, and in the extreme legally claimed territory of another state.

### Courses of Action

As previously stated, this study will look at the U.S. involvement in the SCS. Particularly, this paper seeks to provide options for the U.S. to consider in an effort to reach the overall desired end state of achieving peace and stability in the region. This end state can be accomplished by limiting or otherwise mitigating Chinese expansionist policies in the SCS. With this in mind, and in light of the research presented in this study, three COA's have presented themselves as broad and potential solutions to this identified problem.

#### COA 1 Increased Diplomacy

##### Diplomatic Force

COA 1 involves enhancing the already existing U.S. policy and diplomatic approaches toward allied and partner nations in and around the SCS. This will require the U.S. becoming more vocal in its insistence of adherence to international law, increasing efforts in resolving the sovereignty issues between SCS claimants, and assisting with joint exploitation of resources.

The current U.S. policy of increasing security and stability in both the diplomatic pivot towards Asia and the subsequent military rebalance is sensible if not overly legalistic in approach and tone. The U.S. approach places emphasis on abiding by international law and customs to include UNCLOS rulings. However, as in most legal

rulings, there are portions in both international decisions and in UNCLOS that remain vague or otherwise open to a variety of interpretations. These loopholes have allowed China and others to exploit these ambiguities to the detriment of achieving a stable environment.

Another diplomatic approach in this COA is for the U.S. to become more involved in ASEAN decisions which includes the Code of Conduct process. One of the elements pivotal to the existing U.S. policy for Asia is unwavering support for a negotiated and fully ratified Code of Conduct among ASEAN states, to include China. The ASEAN Code of Conduct, while not new, is meant to be an agreed-upon framework that codifies regulations, procedures, and rules regarding behavior and treatment between ASEAN members. One of the tenets of the Code includes emergency procedures for preventing incidents in areas of contention and managing the aftermath of an incident should they occur. In the event that the U.S. is able to facilitate the final ratification of the Code, those efforts would have a significant impact on setting the environment toward meeting the desired end state of enabling peace and security in the SCS.

Other issues the U.S. diplomatic corps should highlight in its information campaign include addressing China's claim to the SCS via their nine-dash line. This is perhaps the single most contentious aspect of China's approach to the SCS as it allows China to use its historic claims as a basis for ownership of the SCS. U.S. policy needs to clearly and authoritatively declare against the notion that historic rights can supersede agreements and rulings as outlined in recent UNCLOS decisions. In providing a systematic legal rebuttal of the nine-dash line claim, and the largely unsubstantiated legal

arguments that favor a historic rights view, the U.S. will provide the legitimizing influence the world can hear to combat this contentious policy.

### Information Campaign

In order to rectify this, the U.S. needs to reinvigorate its information campaign from both the strategic and operational level. U.S. political white papers specifically stating the areas and incidents where international law has been violated should be produced and endorsed by the State Department or the President of the United States (POTUS) and should be published, disseminated, and highlighted during meetings of the U.N. Security Council as well as at ASEAN Regional Forum (ARF). “A prime example of this would be the Chinese-created baselines around the Paracel Islands. According to UNCLOS, only archipelagic states are permitted draw baselines around island chains – and China is not an archipelagic state” (McDevitt 2014, 76).

### Military Assistance

Part of building and maintaining a stable coalition is having the ability to reassure partner nations that the U.S. is able and willing to reinforce and protect the gains made during this consensus building. This COA should not just look at diminishing the Chinese claim by increasing its advocacy for global recognition of international law in order to ensure a stable SCS environment. The U.S. also needs to form a consensus of the other claimant and littoral states of the SCS in order to resolve those disputes. U.S. active involvement in trying to resolve the disputes in the Spratlys can be accomplished by encouraging Vietnam, Malaysia, and the Philippines to reconcile their competing claims and would mark a significant starting point for these diplomatic efforts. With U.S.



assistance, negotiating a resolution to those differences not only sets a positive example that perhaps a subsequent resolution with China is possible, but if all contentious parties are in agreement then it would be easier for ASEAN to speak with one voice towards China. The second-order effect of a unified ASEAN is the development of useful legal precedents that would be able to be applied more broadly to other maritime disputes while making ASEAN's voice stronger in pushing for a Code of Conduct affirmation and implementation.

### Economic Development

In the interim, a step toward increasing stability in the region may be found in resolving one of the primary reasons these littoral states are eager to possess territory in the SCS; access to its abundant resources. The U.S. has experienced diplomats and specialists that could assist claimant states with developing jointly the abundant hydrocarbon resources in the SCS - particularly where the EEZs overlap. This would likely encompass the affected parties to enter into a Joint Development Area (JDA) negotiation as, at least, a provisional arrangement. This JDA agreement would enable the competing states to share the oil and gas resources without relinquishing their individual claims toward any final disposition of maritime boundaries. In convincing the claimant states to pursue this option, the U.S. can encourage action by bolstering a nation's political will with promises of assistance in developing and exploiting these natural resources. Additionally, the U.S. can assist with individual countries' attempts to convince their domestic audiences that it remains in their national interest to cooperate by sharing the resources found in the SCS.

In the event the negotiations for establishing a JDA incur an extended amount of time in order to reach a consensus, the U.S. could encourage the claimant states to at least reach agreements on another valuable resource in the area. The fishing zones of the SCS have provided sustenance to worldwide markets for decades. The U.S. should encourage each state with claims in the SCS to reach settlements on specific fishing zones that would allow anglers from each state to fish in their traditional waters without interference barring overfishing or threatening endangered species. The U.S. would have an opportunity to insert itself in this process as a neutral party in order to help in establishing measures to prevent a collapse of the region's fisheries and a decline in overall environmental impact of shared waters. Furthermore, since the establishment of a fishing zone upholds the regional cooperation obligations of claimant states as outlined in UNCLOS, it legitimizes these zones in the eyes of the international community.

#### COA 1 Summary

This COA meets all of the validity requirements to qualify as a viable option toward promoting peace and stability in the SCS. This option is feasible as it aligns with current political, diplomatic, and information dissemination efforts already underway. All that is required is to increase these efforts by raising the priority of the message. This COA is acceptable as the cost associated with implementation may involve more manpower and foreign relations building, but actual resources are negligible and the risk is minimal other than raising the ire of China with whom the U.S. is already at odds. This COA fits the suitability category as it would fall within the commander's intent and planning guidance to support increased bilateral and multilateral discussions and agreements with our Indo-Asia-Pacific partners. The distinguishable characteristic of this

COA is that it calls for a full-court press on the diplomatic, information and political front in an effort to ease military tensions in the region. The completeness of this COA is evidenced through the establishment of sharing agreements between claimant states that will endure far past any negotiated settlements on maritime ownership. These sustaining operations will pave the way for stability in the region.

## COA 2 Military Assertiveness

### Military

Just as COA 1 focused on an aggressive diplomatic, political, and information campaign, COA 2 also calls for increased assertiveness by the U.S. but in the military realm instead. In order to directly combat Chinese encroachment in the SCS while simultaneously ensuring U.S. FON operations in the region, more direct U.S. military involvement is necessary. The U.S. already maintains a fairly robust military presence in the SCS and routine port calls to regional partners such as Australia, Singapore, and the Philippines are increasing. Combine this with the myriad bilateral and multilateral exercises conducted with ASEAN counterparts each year and it is clear that the U.S. military presence in the SCS is already substantial. What this COA is suggesting is that, in order to project security and stability in the region, even more direct military involvement is called for. This may involve some new initiatives, but will more likely mean increasing the scope, duration, and complexity of current efforts.

Additionally, increased presence will have the added benefit of maintaining or even boosting U.S. credibility in the region as added U.S. assistance will go a long way toward reassuring friends and allies that the U.S. pivot to Asia is more than just a half-measure or a forgotten policy. However, increasing U.S. military presence does not

necessarily mean an increase of U.S. forces. Some of the same effects can be achieved with working by, with, or through partner nations. In particular, the Philippines and Vietnam, two of the countries that have had the most contentious relationship with China, present two opportunities for the U.S. to enhance its military influence in the region.

## Philippines

One of the oldest U.S. partners in the region is the Republic of the Philippines. The U.S.-Philippine defense treaty as well as a renewed agreement to provide U.S. military access to Philippine bases can both be used to form a credible threat of hard-power involvement should China once again use force against the Armed Forces of the Philippines (AFP). While this alone may send the needed deterrent signals to China, the U.S. can further hedge their bets by contributing to the military modernization of the AFP and the Filipino ability to police their own waters.

If the Philippine standoff against China in the Scarborough Shoal in 2012 proved anything, it is that the Philippines are practically defenseless at sea. To be fair, the Philippines has increased its defense budget but with a country that is simultaneously combatting terrorism, separatists, insurgents, and the external threat of China, the military budget and capabilities, such as they are, are stretched thin. U.S. efforts to date, outside of providing advise and assist in counterterrorism operations and some law enforcement tactics, techniques, and procedures (TTP) training has consisted of providing the Philippine military with excess defensive equipment such as obsolete Coast Guard cutters.

It is in this capacity, the full modernization of the Philippine military in general and of its maritime forces in particular, which the U.S. should concentrate in order to

achieve both U.S. and Philippine goals of a stable SCS. This will take a significant commitment on the part of the U.S. and it will not occur overnight. “The reality is that a Philippine defense build-up large enough to enable the Philippines to deter Chinese assertiveness will require a generational military assistance effort on the part of the United States, akin to U.S. efforts with South Korea following the Korean War” (McDevitt 2014, 86).

With this military modernization effort must come the legal authority for the U.S. to not only maintain a presence in Filipino waters but to act bilaterally with Philippine maritime forces in defense of the Philippine sovereign territory. In order to do this, the U.S. needs to clarify any ambiguity as it is represented in the MDT as it pertains to internationally recognized territory in the SCS. The time for U.S. military fence-sitting is over. Using legal loopholes in the treaty as a means of preventing joint U.S.-Filipino military action is a violation of the spirit and intent of the treaty and is disingenuous at best. Along with increased capability should come the necessary ability to execute operational orders. The U.S. and DoD in particular need to dedicate a cadre of planners and military expertise toward developing and maintaining a systematic institutional effort of modernizing the AFP.

To ease this transition toward an all-out effort of AFP modernization, the U.S. should not only enforce all terms of the MDT, but reinvigorate the 2014 Enhanced Defense Cooperation Agreement (EDCA) which included provisions for U.S. support of a long-term modernization of the Philippine military. At its heart, the EDCA calls for putting into place a minimum credible defense by allowing the U.S. to rotate troops into

the Philippines for extended stays and allows the U.S. to build and operate facilities on Philippine bases.

## Vietnam

The U.S. can foster another key ally in the region that has contentious relations with China. Vietnam has already taken steps to strengthen its maritime security posture by making some serious investments in those capabilities. In fact, Vietnam may require less of an initial investment than the Philippines as Vietnam has already purchased several Russian and Dutch-built vessels such as submarines, corvettes, and other fast-attack craft fitted for surface attack capabilities. With this, and other efforts towards improving its coastal defense system, Vietnam is rapidly putting into place a modest but capable offshore naval force.

With Vietnam purchasing or building their own military infrastructure improvements, the U.S. can then focus on perhaps a more important function by helping to integrate Vietnamese Command and Control of its maritime security forces. This arrangement will not only serve to help knit together the various parts of the new Vietnamese maritime forces but will also solidify U.S.-Vietnam relations.

## Diplomatic Efforts

As stated, the U.S. already boasts a fairly robust presence in the SCS. What this COA proposes is that to truly be present, at least in a geographic sense, equates to physically being within proximity of the disputed areas. This proximity will open up options for U.S. action as well as increasing influence in the area while providing some much-needed reassurance to U.S. allies that the U.S. is continuing its pivot to Asia. To

this end, the U.S. should continue its routine operational operations by frequenting partner nation ports, particularly those of Vietnam and the Philippines. This renewed military presence will allow the U.S. to enforce the current diplomatic efforts already in place. More frequent engagement with our partner nations, even on a purely military-to-military level, increases U.S. standing in the region as we are better able to demonstrate a physical commitment towards protecting partner nation's sovereign territory.

#### Economic Activity

In assisting our partner nations with defending their legally claimed territorial rights, the U.S. can ensure that these nations are better able to increase their own capabilities. This includes being able to afford military modernization at a faster pace than originally anticipated. Additional assistance the U.S. can provide with an increased security presence in the region includes coordinating U.S. hydrocarbon exploration companies with partner nation's state companies in order to ensure safe and secure surveys without military intervention by Chinese PLAN or Coast Guard.

#### Information Opportunities

The impact of a directed information campaign associated with an increased military presence cannot be underestimated. At a time when the American people are becoming increasingly disillusioned with a government that is portrayed as not living up to expectations, the remarkably visible presence of U.S. military protecting our allies from a bully nation will do wonders for the U.S. national psyche. Additionally, if the U.S. is seen continually enforcing a policy with its commitment toward rebalancing its efforts

toward Asia, it will reinforce to the global community that the U.S. doesn't just make empty promises, but can and will follow through on its commitments.

### COA 2 Summary

There is little doubt that China's actions in the past have caused ASEAN littoral states, in particular the Philippines and Vietnam, to seek closer security ties with the West. The U.S. needs to take advantage of increasing requests from SCS states to improve maritime policing and security abilities. When these opportunities arise to assist the littoral countries, the U.S. should be poised to provide support through direct military sales and assistance. Additionally, with this increased cooperation, other allies in East Asia such as Japan and Australia can be brought in to contribute or increase existing support toward improving maritime capabilities and regional cooperation. The U.S. end state of improved stability in the SCS can then be achieved by empowering littoral states cooperation to adequately defend their legitimate maritime zones.

This COA moderately meets the feasibility standard as adequate resources will still have to be allocated in order to show full U.S. commitment and dedication to an increased military posture in the region. The time factor may be truncated as the U.S. currently conducts most of these activities. All that would be required to reach the goals for this COA is an increase in operational tempo. Acceptability may be a concern as a more aggressive stance by the U.S. does present the potential for increased risk of confrontations in the SCS. However, the advantages gained by improved inter-regional cooperation between SCS states and with the West outweigh the risk increase. This COA is suitable as regional cooperation and support of partner nation treaties fall well within the commander's intent and guidance for the AOR. As this COA focuses primarily on



enhanced military engagements, it is readily distinguishable from other options. Finally, COA 2 allows for continued sustainment operations as military advice and assist functions are an ongoing process. This factor leans this COA toward meeting the completeness category for this COA.

### COA 3 Non-Intervention

#### Diplomatic

One possibility to entertain when attempting to deescalate tensions in the SCS is for the U.S. to remove one of the seemingly major causes of friction; namely, the U.S. itself. This concept is not as far-fetched as it may seem. In this COA, the U.S. should seek to establish diplomatic consensus directly with the primary adversary that threatens the very stability we purport to achieve. It is China then, with which the U.S. needs to come to terms. By the U.S. removing itself from trying to form some sort of consensus among the many disparate countries of SEA, the U.S. need only to concern itself with one. Additionally, without the U.S. attempting to solve the region's problems, this allows the native powers to assume the mantle of consensus builder in the region. ASEAN members are more likely to take direction from one of their own as opposed to an outsider.

Should the U.S. decide to decrease both diplomatic and military assertiveness in the SCS yet still desire a Chinese deescalation of aggressive land grabbing and reclamation, a third option may be possible. This option accounts for a third party to step forward and take on a leading role in trying to broker a solution to ease tensions in the SCS. That country is Indonesia. While not geographically a part of the SCS claimant cadre, Indonesia has concerns as to China's intentions toward Indonesia's Natuna gas

fields in the Rian Islands province. These islands just happen to fall within China's claimed nine-dash line.

As a charter member of ASEAN, and a country with a large presence in the region, while also controlling a large part of the all-important transshipment routes of the Malaccan Straits, Indonesia can be extremely influential in trying to reconcile SEA disputes or foster a conclusion to the long-awaited ASEAN Code of Conduct which is designed to reconcile such contentions.

If Jakarta were to take on a more active and open leadership role in dealing with China in regard to SCS claims and the nine-dash line, it would shift the primary advocate for reducing Chinese influence from a U.S. or Western voice to that of a regional player. By promoting change from within, ASEAN will be seen as having the ability to resolve issues in their own backyard without the perception of being directed by the U.S. This will allow the U.S. to ease both its diplomatic and military profiles in a show of non-instigating efforts toward easing tensions with China in the SCS.

### Information

With successful diplomatic engagement with China, and the subsequent easing of tensions in the region, the U.S. can claim a significant victory in bringing about a reduction of violence and hope for lasting peace in the historically strife-ridden area of the SCS. To be seen as a global peacemaker gains the U.S. far more credibility on the world stage than does resolving some small disputes over the mostly submerged rocks, shoals, and atolls of the SCS.

### Military

This policy of non-intervention does not necessarily mean non-presence. As previously noted, the U.S. relies heavily upon the trade and commerce that transit the SCS. To this end, the U.S. will have to maintain a fairly robust FONOPS presence only so far as it allows and ensures for the safe passage of U.S. merchant traffic and military vessels.

### Economic

The priority of U.S. interests lie primarily in securing safe transit routes for shipping and commerce as well as movement of naval vessels to combat zones. Additionally, with a newfound sense of cooperation between the U.S. and China, Chinese markets which may have previously been unavailable to U.S. commerce may now be open.

### COA 3 Summary

The U.S. has met with some resistance from ASEAN states as the U.S. is seen in some quarters as meddling in the affairs of SEA states. It is not too far off base to assume that China views a stable SCS to be just as advantageous to their future growth as does the U.S. Perhaps it has been the U.S. all along that has prevented China from implementing a plan towards fostering a united and stable SCS.

Using the COA screening criteria to evaluate the validity for COA 3, this COA may present the most feasible option as it actually calls for a reduction in resources and removes any significant time restrictions. Additionally, the acceptability level of this COA also reduces both the cost and risk, however, it does nothing to gain an advantage in

the region other than appeasing China's wishes. This COA also lacks the ability to accomplish the mission within the commander's intent and planning as it is written now. This COA would suppose a shift in national policy towards non-intervention which would necessitate an update to the current commander's intent. Until this happens, this COA does not meet the suitability criteria. This COA does, however, meet the distinguishability criteria as non-interference is a radical departure from anything proposed to date. Alternatively, this COA doesn't meet any of the validity tests for being complete as it doesn't account for sustainment or support of civil authorities.

### Summary

There is no one reason that can be identified as to why China is asserting its authority over the SCS in an ever-increasing manner. Control of the multiple small islands in the region is, in part, a matter for controlling the wealth assumed to lay beneath the islands in the form of unexploited minerals, oil, and gas in addition to access to the immense fisheries that exist. It is also a matter of increasing the country's sense of security. By dominating the maritime approaches and securing the long SLOCs to the open Pacific Ocean, China is attempting to limit harassment of its blue-water navy. China may also see this as an opportunity to overcome and resolve historical grievances. Its occupation of these islands may be seen as a way to reinforce and legitimize perceived historical claims that China claims take precedence over current internationally recognized decisions. It also cannot be discounted that China is also flexing its might in an effort to be seen as a world sea power on par with the U.S. This applies directly to China's sense of national power and nationalistic pride.

The use of the Strategic Estimate framework has helped to outline the current situation facing U.S. decision makers as they determine what actions should be considered. The three Courses of Action laid out, while certainly not the only options available to the U.S., seem to present some opportunities in which the U.S. can exercise its elements of national power in an effort to reach the end state of a safe, secure, and stable SCS while protecting U.S. interests worldwide.

## CHAPTER 5

### CONCLUSIONS AND RECOMMENDATIONS

If China's neighbors or the United States wishes to stop the salami slicing, they will have to be the ones taking risks with the global commons and continued open commerce.

— Robert Haddick, *Fire on the Water*

#### Overview

The issues facing the SCS remain highly complex and are constantly evolving. This chapter will present the conclusions reached based upon the analysis given in the previous chapter. This conclusion will include the COA chosen from the three given based upon its likelihood, risk mitigation factors, and the validity criteria of being the most feasible, acceptable, suitable, distinguishable, and complete. Additionally, this chapter will provide supplementary recommendations for the U.S. to employ its elements of national power on the diplomatic, information, military, and economic fronts in support of the chosen COA. Finally, suggestions for further research will be proffered as a means to continue research on this highly dynamic and significant question of mitigating Chinese influence in the SCS while protecting the national interests of the U.S.

#### Conclusions

“Certainly the U.S. needs to make some careful calculations when it comes to policy dealing with a would-be regional hegemon, but it also needs to be decisive and timely” (Pham 2016). This quote quite accurately describes just exactly how nuanced the U.S. reactions and actions are to Chinese activities in the SCS. When making these decisions, indeed even in proposing a particular COA, remaining cognizant of the need to

show resolve while simultaneously mitigating risk to own or friendly forces should be of paramount concern. With this in mind, and based on the analysis of all COAs, it seems the most prudent course of action is to adopt the framework of COA 1. COA 2, while showing extreme resolve in the physical presence of the U.S military while bolstering the militaries of our partner nations, has a greater chance of igniting a larger kinetic action. This result is exactly the type of scenario in which the U.S. is trying to avoid. COA 3, while meeting some of the necessary requirements, would necessitate a wholesale shift in U.S. policy and posture which would discard all of the efforts expended thus far in the region. Not only does it abandon our partners to the whims and will of an adversary whose end-game may still not be completely understood, but ceding control of the waterways may eventually impact the one thing that we want to preserve; our unfettered FONOPS throughout the region.

COA 1 was chosen as it represents not only the most likely course of action, but also incorporates multinational cooperation. By leading the way on this transnational effort, the U.S. can accomplish several goals. First, COA 1 calls for the global community to endorse and ratify the decisions made by neutral international governing bodies. In this manner, the U.S. promotes cooperation and collaboration amongst worldwide community. This helps to reinforce and further legitimize these decisions for future disputes. Secondly, COA 1 will apply this same legitimization towards ASEAN decisions and promote the validity of the organization through their ability to pass and get ratified security cooperation agreements in the SEA region.

Third, COA 1 incorporates the full force of U.S. diplomatic pressure, which will bring with it international force to call for Chinese compliance to transnational rulings.

Finally, this COA lays out a plan for easing tensions between SCS claimants by implementing an economic sharing proposal that ignores the need to declare ownership of territory to one country over another. As it appears that the desire to control resources is one of the primary drivers toward claiming ownership of land features in the SCS, then sharing in those ample economic resources can pave the way for increased stability.

As stated, elements of COA 2 can be added to supplement COA 1. While COA 2 is far and away the most dangerous course of action as it directly places U.S. military personnel in the situation of kinetically engaging with the Chinese military, there are some elements of COA 2 that can be beneficial toward enforcing COA 1. An overall increased presence includes patrols, port calls, and exercises in the region which will send a clear message that the U.S. is serious about protecting not only its own national interests but in supporting the efforts of its partners in the region.

### Recommendations

The SCS is an issue that can be managed, but it will not be resolved easily nor quickly. Only by looking at the U.S. options from the viewpoint of U.S. elements of national power, can solutions in the diplomatic, information, military, and economic realms begin to reveal themselves.

Diplomatically, there can be no one preferred format for negotiating the outcomes for a stable environment. Bilateral negotiations should not be looked upon as less desirable than multilateral agreements. Engaging ASEAN can no longer be a matter of choice. The U.S. should continue to support ASEAN's various institutional committees and spinoffs by being present. "At a minimum, this will mean sending top-level officials, including the secretary of state and defense, to its far-flung meetings" (Campbell 2016,



273). Once presence is established, the U.S. can broaden its ASEAN engagements by encouraging debate and action on a wider range of issues to include energy, agriculture, and commerce; all of which may involve attendance of other U.S. cabinet members. Perhaps just as important, U.S. absence at important meetings will raise concerns as to U.S. commitment to Asia and allow others to set the agenda which may end up being a detriment to the U.S.

In addition to increasing U.S. participation in ASEAN and other multilateral forums, the U.S. can embark on a more comprehensive information campaign touting issues in the SCS. The U.S. can “support the principle of peaceful resolution of international disputes by continuing to publicly support and encourage efforts to use international law and arbitration to address sovereignty disputes, especially in the South China Sea” (Campbell 2016, 275). In a related effort, the U.S. can step up its exposure to Chinese actions in the SCS and its refusal to adhere to internationally-recognized legal claims. This may have the added effect of causing China to lose multinational support in other areas of national power.

Militarily, the U.S. can continue exercising its FON operations throughout the SCS. But here too the U.S. must tread lightly so as not to be portrayed as the aggressor. “China’s claims are perhaps the most threatening to global freedom of navigation” (Campbell 2016, 176). From the standpoint of U.S. strategy, FON and overflight of the world’s oceans has been an enduring and vital principle of U.S. policy. FON across the waters of the SCS is a strategic and economic priority for not just the U.S. but on a global scale.

The U.S. needs to be completely committed to a very long term and dedicated effort toward improving the maritime capabilities of its partner nations either through increased exercises, providing advice and assist capabilities, increased sales of needed equipment, and training. To mitigate risk, the U.S. should ensure that any planned military posturing or capability enhancement are portrayed as an effort to reassure allies and partners and are working towards stability instead of attempts to directly and kinetically confront China. The goal of any increased military presence is to ensure that the U.S. can fulfill its security responsibilities in the area while safeguarding the capability of assured access throughout the region when required.

Economically speaking, China holds sway in the region. Not only are they the largest economy in the area, but they remain the largest trading partner with several countries in the region which includes the U.S. With this in mind, the U.S. needs to tread lightly lest it negatively impacts U.S. trade and commerce. As stated, FON operations throughout the SCS is important not just for maintaining the ability of the U.S. and other sovereign nations to freely transit the areas as a means of power projection, but for the massive amount of trade that passes through the region on a daily basis.

In 1984, Deng Xiaoping, the then chairman of the central advisory commission in China, led his country through far-reaching market economy reforms and suggested the possibility of resolving certain territorial disputes by having the countries concerned jointly develop the disputed areas before discussing the question of sovereignty. “In other words, the question of sovereignty should not necessarily delay moving forward on other issues” (Jacques 2012, 377).

More recently, some nations in the South and SEA region have indeed moved ahead on bilateral economic sharing of resources in disputed areas. In 2012, Indonesia and Malaysia signed an agreement that divided fishing resources in their contested waters. The following year, Japan and Taiwan signed the same. “In this environment, the region’s small examples of successful maritime cooperation shine brighter, showing the promise of resource sharing” (Campbell 2016, 180). The key to these agreements lies in the bilateral, or in some cases multilateral, arrangements as to how to jointly exploit resources in a manner that does not need adjudication or perhaps more importantly, any concession of territory.

The introduction and formation of these alliances, however, does not leave the U.S. out in the cold. The opportunity exists for the U.S. to back its oil companies to establish a joint venture to explore oil and gas in concert with one of the smaller claimants’ EEZ. In doing so, “the U.S. will not only bolster its interoperability with the smaller claimants, but also weaken Chinese excessive maritime claims in the SCS” (Pham 2016).

#### Suggestions for Further Study

Further study is warranted on this continuing, contentious, and extremely strained subject. Primarily, it would be beneficial to have research conducted on the outcomes of the bilateral and multilateral agreements by SCS claimant countries and the shared use arrangements on exploitation of disputed territorial resources such as oil, natural gas, and fisheries. Particularly, it would be advantageous to know if these pacts were actually having the desired effects of reducing tensions by removing the subject of ownership by sharing resources. If these working agreements prove to be effective, that may indicate

the possibility for an expanded program of shared resources amongst several, or all, of the claimant states. To this end, it would behoove the U.S. to be amongst the forefront of fostering those negotiations and assisting with the exploitation process.

A second possibility that would require additional research is investigating the possibility of creating a Southeast Asia pact, led by the U.S. and China on shared use and responsibility for ensuring FON throughout the SCS. This could be abrogated through UNCLOS and ASEAN in order to provide the necessary legitimacy for all countries. Research questions could include delving into the possibility of U.S. conceding some measure of control of the SCS to China in exchange for maintaining a safe and secure waterway transit. While this tactic may also serve to embolden China in its seemingly unwavering quest to possess all of the SCS, such a concession could be seen as legitimizing China's claim. There has been scant research conducted to explore whether or not such an action would appease the Chinese pursuit of overall hegemony in the region or merely spur them on to further aggression.

Finally, there should be an unclassified Red Team study conducted that looks at the SCS from the Chinese perspective by exploring the Chinese COA's for implementing their vision and will on the SCS. A discussion of Chinese motivations, as seen from a completely Chinese perspective, could be an invaluable tool in determining U.S. mitigation strategies for the future.

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